# BI-LINGUAL SCHOOLS *in* CANADA

C. B. SISSONS

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# BI-LINGUAL SCHOOLS IN CANADA

*By*

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LONDON
PARIS - TORONTO
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1917

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# INTRODUCTION

THE language problem in Canada is but a part of the larger problem of developing a community life which will give freedom to peoples diverse in language, in race, in religion and in social customs.

Before English-speaking Canadians, predominantly Anglo-Saxon and Protestant in type, and French-speaking Canadians, predominantly Latin and Roman Catholic in type, had fully learned to live together a great wedge of "foreigners" was thrust into our Canadian life. Hardy Scandinavians, persecuted Jews, freedom-loving Poles, peace-seeking German-speaking Mennonites, Russian Doukhobors with their peculiar "Tolstoyan" doctrines, illiterate Ukrainian peasants with their nationalistic "inteligencya"—these, and a score more of widely differing groups have been thrown together indiscriminately. Little wonder if there has been friction. The wonder is that things have gone so smoothly.

The fact is that Canada is confronted with a more serious task than most Canadians realize. We have encouraged immigration; we have profited by immigration; we cannot escape the

responsibilities which this immigration has brought us. Now that we begin to encounter difficulties, it is simply childish to talk of deporting all the foreigners, or to blame these foreigners because they are not like English-speaking Canadians. Whether we relish the prospect or not, Canadians are not and cannot now be a homogeneous people. Whether or not they are to be a united people depends largely on the attitude of Canadians of the older stock, who are at present responsible for National leadership.

It would be as unwise as it would be futile to attempt to force all these immigrants into one mould. Some of us have never quite understood that the older Ontario type of Canadian, however admirable, has not been the only type of Canadian. If ever one type is evolved it will be catholic enough to incorporate in itself the best elements in the various peoples who are making Canada their home.

Each group has its own distinctive contribution to make. Treasures of literature, art, music, devotion, patriotism, idealism, industry, the heritage of the rich and varied civilization of Europe, may be brought to Canada—if only we are intelligent enough to appreciate their value and facilitate their transfer.

The conservation of our human resources is the task to which Canadian statesmanship should apply itself.

# INTRODUCTION

Language is at once the symbol and medium of national culture. The language question in Canada is not then simply which of two or more tongues shall be the means of communication. It is a question as to whether certain types of culture will survive or perish—a question as important to the older Canadian people as to the newly-arrived immigrants. Consciously or subconsciously this is doubtless the reason why the interest in this problem has been so deep.

The older English-Canadian has maintained that there must be a united Canada. He has recognized that this meant a common language. Unfortunately, knowing only one language, he has not realized what other languages have meant or might mean. Other groups, treasuring their own languages and all for which their own languages stand, have sometimes failed to grasp a higher Canadian ideal and, disregarding other considerations, have spent their energies in maintaining the "rights" of their particular groups. Lack of mutual understanding has generated heated controversy and thus precluded the discovery of a means by which both ideals might be realized. Policies have been determined by political expediency rather than by considerations of national welfare.

Under these circumstances, Mr. Sissons has made a valuable contribution to the solution

of one of our outstanding national problems. He may not have been able to view the situation from an entirely impartial point of view—who can?—but he has succeeded in maintaining an open mind and discussing the subject dispassionately—in itself no small achievement.

The attempt to disentangle the French-Canadian problem, the German Mennonite problem and the problem of the Slavic immigrants, and the analysis of the varying situations which confronted the authorities in the different provinces, are particularly valuable.

It is most encouraging to find that our university men are beginning to turn their attention to our practical Canadian problems. Surely the time must soon come when every under-graduate will be given an intelligent understanding of these problems; when our post-graduate students will be encouraged to give themselves to social research; and when our university professors will recognize that their greatest contribution to the advancement of learning and world progress is in devoting themselves to the problems of America rather than those of Europe and in holding up ideals for the future rather than inculcating the ideals of the past.

J. S. WOODSWORTH.

Winnipeg, October 16th, 1916.

# PREFACE

SOME years ago it became evident that educational conditions in Manitoba required ventilation. According to the terms of Confederation and the subsequent Acts by which our present Dominion was created, education was left to the care of provinces. However, immigrants invited by the Federal authorities were poured into Winnipeg and distributed throughout Manitoba. The provincial authorities had failed to keep pace with the problem, and in many parts of the province decent school privileges were denied the newcomers. The results of my investigations in this field were published in a series of signed articles appearing during the fall of 1912 in the Toronto *Globe,* and later were summed up in an article in the *University Magazine* of February, 1913.

In Manitoba the matter of bringing schools to the people, difficult enough in the pioneer stage of any country, was complicated by the language question. From the first the very considerable French and German elements in the population were allowed the privilege of

using their own language in the elementary schools. With the coming of many thousands of immigrants from continental Europe, a demand arose that these same rights be extended to various nationalities. These demands were acceded to, and the difficulties of administration of the school system were greatly increased, difficulties which had never been slight by reason of the unwillingness of the late Archbishop of St. Boniface to accept the compromise of 1897 as final. In Manitoba, then, questions of religion and language were both pressing, being more or less interwoven, and by many people hopelessly confused. The administration of the day appeared lethargic and helpless, if not compromised. It was thought that criticism from without might assist in spurring the Province to come to the aid of the thousands of children who were entering it on the invitation of the Canadian people.

The information then gained and the conclusions then arrived at form the starting-point of the present work. With Manitoba I naturally compared Saskatchewan, Alberta and British Columbia. Then I turned to Ontario, where the language controversy, after twenty years of comparative quiescence, had been revived by the publication of the celebrated letter giving the purport of a conversation

held on May 23rd, 1910, between Bishop Fallon and the Hon. W. J. Hanna. The smoldering fire thus rekindled has been kept ablaze by the enactment of Regulation 17, the Ottawa school boycott, and the great debate in the Federal House in the spring of 1916. Indeed, the dispute threatens to strike at the very roots of our national charter. Confederation marked the victory of those who believed that people differing in language and religion could still work harmoniously together. The subsequent flocking of immigrants to our shores and across our southern border, a million of them unfamiliar with British institutions and either the English or the French language, could hardly have been regarded with complacency had it not been taken for granted that we had achieved national existence. At the present time the forces making for division seem to be prevailing. One hopeful sign, it is true, appears in the "Bonne Entente" movement. But exchanges of courtesy, valuable though they are in creating an atmosphere in which discussion is possible, will fail of effect unless they are accompanied by an earnest study by the public of the causes of difference.

Realizing the seriousness of the problem, East and West, and believing that much of our trouble has been caused by unfamiliarity with the plain facts of history and pedagogy, I have

ventured to write these chapters in the hope that they may serve to disturb those who have formed hasty conclusions, and at the same time may assist in lifting the discussion above the mists of passion and prejudice which commonly surround it.

Unfortunately no authoritative exposition of the situation in respect to language east of Quebec is available, and it has been found impossible to include a chapter on the Maritime Provinces. The problem existing in the districts inhabited by the Acadian French differ somewhat from those arising in the districts peopled by immigrants from Quebec. It will probably appear, however, that the situation there does not differ essentially from that found in Ontario—in the French settlements adjacent to the Detroit River, on the one hand, and those adjacent to the Ottawa River on the other.

Besides the help of colleagues and other friends I have experienced much kindness from men in public life and from officials in the various departments of education. Thus the attempt to unravel the tangled skein of a great national problem has been rendered both possible and pleasant.

C. B. Sissons.

110 Farnham Avenue, Toronto.

December 1st, 1916.

# CONTENTS

PAGE

CHAPTER I.

The First Appearance of the Question in Ontario - 13

CHAPTER II.

The Question Enters Politics - - - - - 35

CHAPTER III.

Regulation 17 - - - - - - - - - 69

CHAPTER IV.

Manitoba and Legalized Bi-Lingualism - - - 114

CHAPTER V.

Alberta and Saskatchewan - - - - - - 157

CHAPTER VI.

Conclusion - - - - - - - - - 184

# APPENDICES

PAGE

APPENDIX I.

Clauses of the British North America Act Dealing with Education and Language - - - - - 217

APPENDIX II.

English-French Public and Separate Schools - - 218

APPENDIX III.

Letter from His Holiness Pope Benedict XV to the Bishop of Canada, September 8, 1916 - - 222

APPENDIX IV.

Privy Council Judgment in Ottawa Separate School Board *vs.* R. Mackell and others - - - 228

# Bi-lingual Schools in Canada

## CHAPTER I.

### *THE FIRST APPEARANCE OF THE QUESTION IN ONTARIO.*

Much of the difficulty experienced in Ontario and elsewhere in Canada in dealing with the language question has been due to unfamiliarity with the facts of our own history. This truth soon becomes apparent if one goes behind the expression of opinion current in the press and on the hustings and turns to documentary evidence dealing with the place of English and French in the elementary schools. For example, French in Ontario frequently is spoken of as if it were a sort of blight which, in recent years, has crept into our schools to mar the careers of the children and bedevil the politics of the whole province. Nothing could be further from the truth. The first schools established within the confines of what is now the Province of Ontario were taught in French by priests who were willing to surrender ease for heroic sacri-

fice, which in some cases culminated in cruel martyrdom. When one remembers this and knows that considerable French-speaking colonies continue to exist on the St. Clair, in the angle of the Ottawa and the St. Lawrence, and in the vicinity of Georgian Bay, the citizen who is less than ruthless cannot condemn all French in the schools.

For instance, on the eve of the provincial elections of 1914 the *Orange Sentinel* made the following reference to history. In discussing the proposal "that no obstacle should be placed in the way of the teaching of French," it added: "That was Sir Oliver Mowat's attitude. It was during his premiership that these bi-lingual privileges were granted to the French." The natural inference to be made from this typical statement is that at a certain time in the history of Ontario, the French-speaking people were allowed language privileges previously denied them; that formerly in the schools they were compelled to use only one language, presumably English, and that later the privilege of using two languages, presumably English and French, was granted them. Let us see how far this is true.

Apparently the first official document bearing on the question is of the date April 5th, 1851. It was a memorial addressed to the Board of Public Instruction of the County of

Essex and signed by seventeen inhabitants of School Section 6 in the Township of Sandwich and County of Essex. The petition should be given in full:

"The memorial of the inhabitants of School Section Number 6, in the Township of Sandwich, in the County of Essex.

"Respectfully represents:

"That your memorialists, considering the urgent necessity to forward elementary education in their school section, as well as in their township, as far as is in their power, are deeply affected and grieved to perceive that their efforts for that purpose are thwarted and rendered useless by the system of instruction introduced into our school section as well as in other sections of this township, and we are informed,

"That a set of school teachers have been introduced (and one in particular in our section) who is far from being qualified to be a teacher, within the meaning of the Statute, and otherwise wholly incapable of giving our children a good and wholesome English education—he, the said teacher named Gigon, a Frenchman newly arrived in this country, an alien utterly unacquainted with the principles of the English language, and less with the practice of it, having been appointed to teach

our children. Your memorialists conceive that they have a right to have their children taught in English, because they have discovered by experience that French instruction alone availeth them next to nothing at all, being an ornamental rather than a useful acquirement for the inhabitants of this country.

"Your memorialists would therefore entreat the Board to take their case into favorable consideration, and by proper investigation cause this great evil to disappear, which evil, if suffered, will throw us back considerably from our surrounding neighbors.

"Your memorialists therefore earnestly pray to afford them relief, and as in duty bound, will ever pray.

"(Signed) JULIEN PARENT."

(And sixteen others with French names.)

But there is always the other side. The counter petition, dated April 14th, is in French and must be translated for the uni-lingual citizen of bi-lingual Canada. The three trustees of the section have subscribed their names, or rather Medart Gouin has subscribed his and the two others have made their marks, being unable to write their names. There was nothing to indicate, by the way, that any of the memorialists did not sign their names, although certainty on this point is impossible, since

apparently the original documents have not been preserved. The points urged by the three trustees, two of them illiterate, are as follows:

"1. The district is one of the least of the country both in the number of the children and in the state of the fortunes of the parents.

"2. The district is composed of families who speak nothing but French.

"3. For many years it had tried without success to have a school. Last year a resident of the place offered to teach French and English. He was unable to get together enough children to make it worth while to give lessons. The grant accordingly was lost, to the great regret of the fathers of families.

"4. The section after repeated attempts was unable to find a single master speaking the two languages.

"5. Mr. Gigon, a respectable man speaking only French, came forward, and we placed him in the school with the permission of the local superintendent on the understanding that he was to undergo an examination in French when the Board met two months later. No sooner had he taken up his duties than forty children entered the school, to the great satisfaction of the parents and of ourselves, who finally see our deepest wishes realized. To-day examination was refused the master because

of the clause which demands an ability to read English.

"We ask the authorities that we be permitted to keep our good master, although he is not qualified for the English language.

"If your reply is not favorable we shall again be without a school, in spite of which we are paying the taxes while our children remain and grow up in ignorance.

"We hope, Mr. Superintendent, that you will be good enough not to abandon to a sad lot the part of the country which we represent."

On April 12th, S. J. MacDonell, Secretary of the Board of Public Instruction for Essex, refers the matter to the consideration of the Toronto authorities. After pointing out that the majority of the inhabitants of the Township of Sandwich are French Canadian and that most of the schools are conducted in French, he states:

"Of the candidates presenting themselves before the Board of Public Instruction and belonging to the Township of Sandwich, there has not hitherto been anyone who did not possess, at all events in some degree, a knowledge of the English language.

"Mr. Gigon, who came before the Board to-day, is entirely ignorant of it, and upon reference to the programme of examination pre-

scribed by the Council of Public Instruction, the Board of Examiners felt constrained to refuse to grant at present a certificate of qualification.

"As, however, it might be urged on behalf of Mr. Gigon that in this part of Upper Canada, in the midst of a French community, the programme of examination should not be strictly adhered to, and that there would be an injustice in debarring a teacher from desiring a participation in the government appropriation of moneys for schools because, although capable of imparting the elements of a good education, he conveys instruction only in the French language, the language of the pupils who attend his school—the Board have deemed Mr. Gigon's case of sufficient importance to be submitted to the chief superintendent, as being decisive of the principle whether or not it is an essential toward the obtaining of government support that teachers of common schools should deliver or be able to deliver their instruction in the English language.

"Previous to Mr. Gigon's appearance before the Board, a memorial . . . was presented to the Board on behalf of some very respectable Canadian *habitans* of the school section in which Mr. Gigon is keeping school. I must mention to you in connection with that memorial that Mr. Gigon produced a proper certificate

of having taken the oath of allegiance and also a very excellent testimonial as to character and capability as a teacher from Monsieur Pere Point.

"Mr. Gigon stated that there were about fifty pupils attending the school, all of them very young, and all of whom spoke the French language."

Mr. P. McMullin, the local Superintendent, whose position corresponded to that of the County Inspector to-day, when forwarding the petition of the three trustees, wrote a letter to the Superintendent of Education in which he gave the additional information that objection was raised to Mr. Gigon by one of the examiners. He also stated that he saw nothing in the Act requiring that teachers must be acquainted with the English language. "There are several school sections in the township where the children cannot speak English, and it appears to me that a teacher who understands the English tongue would be of no use in such sections, as neither the pupil nor the teacher could understand each other. A teacher competent to teach English and French cannot be secured at all times."

Nine days later, on April 25th, 1851, a meeting of the Council of Public Instruction was held in Toronto, the Rev. Henry James Grasett,

A.M., being in the chair, and three other members present, namely, James Scott Howard, Esq., the Rev. John Jennings and the Rev. Adam Lillie. In the absence of five members, one of them Doctor Ryerson, the Chief Superintendent of Education, then in England—though there is no reason to believe that he or any of the absent members would have disapproved—the Council ordered the following clause to be added to the programme setting forth the qualification of teachers:

8. "In regard to teachers of French and German, that a knowledge of French or German grammar be substituted for a knowledge of English grammar, and that the certificate of the teacher be expressly limited accordingly."

It was further ordered that the above be communicated to the several County Boards of Public Instruction in Upper Canada, and on April 30th Mr. McMullin was informed that "there is nothing in the School Act to prevent the Board of Public Instruction for the County of Essex from granting a certificate of qualification to any persons upon passing the requisite examination, who shall have complied with the conditions contained in the second clause of the twenty-ninth section of the School Act.

"Mr. Gigon having complied with these conditions, as intimated in a letter I have received from the secretary of the County Board, the Council of Public Instruction for Upper Canada has sanctioned a liberal construction of the programme for the examination and classification of teachers, making the term 'English' convertible with the term 'French' where it applies and when applied to French candidates for the examination by the County Board. The certificate should of course be limited to teaching in the French language.

"The School Act expressly authorizes trustees to employ any qualified teacher they please; should therefore Mr. Gigon obtain a certificate from the County Board, the Trustees can engage his services, and no board or school officers can prevent them, as has been assumed in a memorial transmitted to me by the Secretary of the County Board from certain inhabitants of School Section Number 6, Sandwich."

The letter is signed by J. George Hodgins, Deputy to Superintendent of Education.

This same section 8, which made "French" and "German" convertible with "English" in the programme of qualifications for teachers, was again formally adopted on December 17th, 1858, eight members of the Council being pres-

ent, among them the Chief Superintendent, and again in 1871, so that no doubt can exist as to the attitude of the then educational authorities of the Province regarding the position of French in the schools. The fact must be recognized that sixty-five years ago a teacher unfamiliar with the English language was secured a certificate on the definite decision of the Council of Public Instruction. This decision was arrived at almost certainly on what were believed to be the merits of the case. The members of the Council were not dependent on the suffrages of the people, "though subject to all lawful orders and directions issued by the Governor." The Chief Superintendent of Education, who was directly responsible to the Governor, served as a connecting link between the Council and the government of the day, but the educational administration of Upper Canada was not yet organized as a department of the government. At any rate the Council saw fit to instruct the various county examining boards throughout the Province that in future a knowledge of French or of German grammar should be accepted in lieu of a knowledge of English grammar in prospective teachers.

Thus, in 1851, was staged the first act in the Ontario language drama, the denouement of which we have not yet seen. But in this first

act almost all the personages who are still on the stage are in type presented to us.

First we have the local trustees with large powers and lean purses. They are anxious to have a French-speaking teacher in charge of their school, and emphasize the difficulty, with their limited means, of securing one competent to teach both English and French. They readily accept a teacher who reads only French and who has the support of the parish priest. They place him in the school and trust that their story will secure a certificate for him. Their own education is modest and they are content with modest qualifications for their teacher. Opposed to them in hostile poise stand the minority in the school section. They are not sufficiently strong numerically to oust the reigning trustees, but they feel they have a grievance and they appeal to the County Board. They hold a knowledge of English to be indispensable, "French being an ornamental rather than a useful acquirement" for inhabitants of Canada. They are willing to subscribe their names to a protest and thereby incur the hostility of their neighbors and it may be of the priest. The local superintendent or inspector, however, is less true to type. For one thing he boasts an Irish name, and the Irish and French in these later days have been mixing about as comfortably as fire and water.

He is clearly not a very close student of English himself, if one may judge from the sentence: "It appears to me a teacher who understands the English tongue would be of no use in such sections, as neither the teacher nor the pupil could understand each other." Apparently he is trying to voice the sentiment that a teacher whose native speech is English would be useless as a teacher of children whose native speech is French. But of this contention, so fundamental to the whole discussion, we shall have something to say later on. It is interesting to note that it is put forward by an official in the very first stage of the controversy.

The Council of Public Instruction, or Department of Education, also is perhaps hardly normal. There is no uncertainty or indefiniteness about its position. Of course being, like the Commission of to-day, somewhat removed from the arena of politics, it was not compelled to consider the effect that its actions would have on various sections of the electorate. Realizing the very large powers conferred by the Act on local boards of trustees, it turned a deaf ear to the representations of the seventeen insurgents. But more than that, it determined that the mere question of language should not stand in the way of any teacher. Clause 5 of the programme setting forth the qualifications

for third-class teachers had read: "To know the elements of English grammar, and to be able to parse any easy sentence in prose." The addition of clause 8, which made French or German convertible with English, removed the necessity of any knowledge whatever of English grammar on the part of a teacher of Upper Canada. One of the duties of the County Board was "to adopt all lawful means in their power as they may judge expedient to advance the interests and usefulness of Common Schools." Believing that he was acting in conformity with his duties, one of the members of the Board had objected to Mr. Gigon as a teacher. The Board had recognized the force of his objection and had refused the certificate pending a ruling by the Council as a higher authority. The ruling was given promptly and definitely. Its historical importance cannot be over-estimated.

By this action the Council of Public Instruction sanctioned the exclusive use of French in any of the schools of Upper Canada. In a letter dated the 24th of April, 1857, and addressed to the School Trustees of Charlottenburgh, of the County of Glengarry, Doctor Ryerson sanctioned the use of both English and French in the same school, thereby giving the first recognition to the bi-lingual school. The letter runs:

"Gentlemen,—I have the honor to state in reply to your letter of the 16th that as the French is the recognized language of the country as well as the English, it is quite proper and lawful for the trustees to allow both languages to be taught in their schools to children whose parents may desire them to learn both.

"I have the honor to be, Gentlemen,

"Your obedient servant,

"E. Ryerson."

The privilege granted to the French on the 25th of April, 1851, was also granted to the Germans. The German-speaking population of Upper Canada at that time probably was considerably greater than that of the French. Definite information on this point is not available. In the census the French population is given as 26,417, while that having its origin in Germany and Holland as only 9,957, but those classed as coming from the United States must have been largely German-speaking. Unlike the French, the Germans had settled, not on the old waterways, but in the interior of western Ontario, chiefly in Waterloo County, though scattered settlements had been made in Perth and Bruce and two or three other counties. More than most settlers in Ontario they had prospered, being naturally industrious and thrifty. They could not claim any treaty

rights, but they had the same natural rights as the French to the recognition of their language in the Common Schools. These are set forward in a letter written by the Rev. E. F. A. Kaessman, of Easthope, County of Perth, in the year 1861:

"In Upper Canada there are at present a large number of Germans, as you may see by the last census. All are desirous of maintaining the German language, and therefore require German-English schools. Amongst the arguments for this object I mention only the following:

"1. By exclusively English schools the people will be alienated from their Church, fall gradually into indifferentism, and lose all moral restraint; such individuals do not make good citizens;

"2. Parents lose their influence upon children, as they are not able to read with them the Word of God at family worship; and

"3. In case of sickness children are not able to read the blessed Book to their disabled parents."

The arguments to the contrary were also being presented. As early as 1854 Martin Rudolph, Local Superintendent of Waterloo County, had written: "A great drawback for our schools, too, is that our children have to

learn two languages, the German and the English; and well qualified teachers in both languages are few, seeing that they can earn more in any other vocation than that of school teaching." In 1856 John Eckford, Local Superintendent of Bruce, had reported: "I may in a few words notice the Roman Catholic Separate Schools in Carrick. German is the only language taught or spoken. I have urged the necessity of English instruction, and the force of my remarks has been acknowledged and may lead to improvement. I have seldom seen children progress more rapidly than those in this school."

Thus far the difficulties of manning bi-lingual schools and the inadvisability of maintaining purely German schools have been brought to the notice of the Superintendent of Education. The first uncompromising stand was taken by the Rev. J. McMechan, Local Superintendent of Waterloo, in 1861. He says: "I have opportunities . . . of learning the great difficulties that, from time to time, arise by reason of our Board granting German certificates. I think these should be abolished. I would respectfully urge upon the Department the desirability of having all teachers in this county and elsewhere throughout the western province capable of speaking, writing and

teaching the English language—the language of our legislature, of our judicature and of our general commercial transactions. The permission of a contrary course tends, in my opinion, to retard progress in the education and amalgamation of different nationalities into a homogeneous people."

It is probably safe to say that Doctor Ryerson, however sympathetic he may have been to the ground taken by Mr. McMechan, was not disposed to adopt any such drastic measures. The policy followed during the thirty-two years of his tenure of office was to respect the wishes of the local boards of trustees in respect to language, trusting that time would bring them to a realization of the necessity for thorough instruction in the English language. He did not regard the separation of children in the schools on grounds of religion as absolutely desirable, nor would he be favorable to further separation on grounds of language. But he had to face the difficult task of convincing people that a centralized system of education was preferable. Any disregard of local feeling would have tended to aggravate the difficulty. It is true that the language question had not yet become acute. Zeal for language is the product of race consciousness, and the principle of nationalities was only now becoming a

powerful force in politics even in Europe. In Canada also, religion, rather than race, was the most powerful factor making for division. Ryerson evidently believed that it was wiser to make haste slowly in turning the French and German settlers to the study of English.

In the case of the German population this policy was justified by the event. He had both geography and psychology on his side. The German settlements were centrally situated and immediately surrounded by an English population. They were not so large or self-contained as are some of the non-English communities which have been allowed or even encouraged to grow up in the Canadian West. Then again the people themselves were industrially and commercially ambitious. They soon came to realize that the English language was essential to their progress. In 1851 they received, apparently without the asking, the right to have purely German teachers. In 1872 provision was made for the examination of candidates for certificates of qualification as teachers in the German language. It is true that a request in the same year from the Germans of Waterloo County for the appointment of an inspector of all German schools of Ontario was not granted in the exact form asked. Doctor Ryerson stated that he was "somewhat at a loss what to say on the sub-

ject," but suggested that the case, in his opinion, might be fully met by enacting a clause in the law authorizing County Councils to appoint a person competent to examine pupils in German who might report the result to the County Inspector. His suggestion was acted upon, and in Waterloo County at least the German-speaking population had all the legislation necessary to enable them to make their schools entirely German.

That was forty-four years ago. Even then Doctor Ryerson could say of the teachers, "I suppose they can all read English, and the ordinary examination papers can be used by them without translation," and could state that "in all these schools English is taught." As early as 1889 the commission of three appointed to investigate conditions in the French schools made the following statement in a supplementary report on the German schools:

"As the surrounding districts became occupied by English-speaking people the German language gradually gave way to the English, so that now the schools, though attended by German children and making some use of German, are practically English schools, and the German language is no longer used as a medium of instruction in any of them, except in so

far as it may be necessary to give explanations to those pupils who on coming to school know but little English. . . . There are others in which German is sometimes taught and sometimes omitted, according to the prevailing desire of the people. There are also many schools, especially in Waterloo County, in which large numbers of German pupils are found, but in which the German language is not taught. While the people retain their attachment to their mother tongue, and in many cases desire it to be taught to their children, they recognize the necessity of an English education in this country, and give every encouragement to the obtaining of it. . . . The earnestness and attention of the pupils was very noticeable, and their general proficiency was very satisfactory."

What is the situation to-day? German is still taught in many school sections where the majority of the ratepayers speak that language, but to an extent which interferes little, if at all, with the general work of the school. In most of the elementary schools of Waterloo County a half-hour each day is given to the study of the vernacular, but in Berlin, now Kitchener, even that has been abandoned as interfering unduly with the general work and organization of the large city schools. A large

number of students of German origin have found their way through the high schools and universities. Indeed the language difficulty in German districts in Ontario was solved twenty-five years ago, at a time when, as will appear in the next chapter, the Province had barely awakened to the realization of its existence among the French.

## CHAPTER II.

### *THE QUESTION ENTERS POLITICS.*

The year 1885 witnessed a momentous decision by the Department of Education in Ontario in respect to the conduct of schools among the French. In September of that year general instructions were issued to the teachers of English and French schools to the effect that English should be taught in every school. The amount of time to be given to the study of English Reading, Spelling, Composition and Grammar was suggested, namely, two hours a day in the first and second forms and four hours a day in the third and fourth. No Royal Commission after long investigation paved the way for this announcement. No blare of trumpets proclaimed its introduction to the legislature. At first it had no place in the Statutes, or even among those undistilled Statutes, the Regulations. It appeared simply and modestly among the instructions to teachers, so that one might spend some time in finding it among the public records. But neither its existence nor its importance can be disputed.

Certain changes had taken place since the last great decision of 1851. Upper Canada had

become Ontario. Union had given way to Confederation. Each province now was practically autonomous in matters of education. Never again would Ontario or Quebec have an experience such as that of 1863, when, from reasons of political expediency, a Separate Schools Act had been carried in spite of an adverse majority of representatives from the province affected. In many ways Union had proved an awkward arrangement. Finally, by reason of a prolonged deadlock, an impossible situation had been created. Confederation promised a solution, since it allowed each province to control matters upon which there existed a very clear cleavage of opinion. Chief among these was education.

It may be noted in passing that the British North America Act was, up to a certain point, quite definite in the matter of language. Section 133 provides that: " Either the English or the French language may be used by any person in the debates of the Houses of the Parliament of Canada, and of the Houses of the Legislature of Quebec; and both these languages shall be used in the respective records and journals of these Houses; and either of these languages may be used by any person or in any pleading or process in or issuing from any court of Canada established under this Act, and in or from all or any of the courts of

Quebec." It is to be observed that, according to the terms of the Act, while English is an official language of Quebec, French is not an official language of Ontario, except that the resident of Ontario may claim the right to use it in certain courts or in the Houses of Parliament at Ottawa. Nothing was said about conversation in French, public addresses in French, the publication of newspapers or periodicals or books in French, and nothing was said about the use of French in private schools or in any schools, elementary or advanced, separate or public. It is doubtful if these matters were ever seriously considered; at any rate no mention is made of them in the prolonged conferences which led up to Confederation. It may perhaps be inferred that the French population of Ontario was considered negligible. The census of 1861 gives the number of those of French origin in Upper Canada as only 33,287.

Another section of the *British North America Act has been quoted in support of the claims of the French language in Ontario schools, namely section 93, clause 1, which reads:

"In and for each Province, the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:—

*See Appendix I.

"1. Nothing in any such law shall prejudicially affect any right or privilege with respect to Denominational Schools which any class of persons have by law in the Province at the Union."

It cannot be maintained,* because existing separate school privileges were secured to Roman Catholics, that therefore and thereby language privileges in the schools were also secured to French-speaking Roman Catholics. The majority of the separate schools then, as now, used no language but English, and a large number, if not the majority, of schools in which French was used were then, as many now are, public schools. Of course these public schools could at any time be changed into separate schools at the wish of the ratepayers of the section, and in that way come to have any peculiar privileges enjoyed by the separate schools. But it is highly improbable that any one of the Fathers of Confederation bothered his head about the use of the French language in the few and scattered French schools of Ontario. The French at that time had no grievance against the authorities of Upper Canada. They had used their own language as much as they liked in their homes, their

* These paragraphs were written before the Privy Council decision, long delayed. They may remain, since they practically anticipate a fairly obvious finding. See Appendix IV.

churches and their schools. Being simple people, for the most part poor and unlettered woodsmen and farmers, they had not sought or been refused the right to propagate their language in any way they chose. If at any time they came to feel as exiles in Moab, Judah was close at hand across the Ottawa. A curious light is thrown on this point by a passage in one of the debates preceding Confederation. In the course of a plea for the continuance of the bi-cameral system in Quebec, D'Arcy McGee argued that: "The people of Upper Canada were one people, speaking one language, strongly imbued with one class of principles, and they might succeed with the experiment, but Lower Canada had two distinct peoples, speaking different languages, having separate interests, and for the protection of these their legislative machinery should be framed on well-tried principles." Apparently this is the only reference preserved in any of the records of these deliberations as to language in Ontario. In default of any other expression of opinion, in view of the existing circumstances, and in the light of the fairly definite wording of the Act, the conclusion is justified that the Fathers of Confederation did not seek either to confer any new legal right on the French language in the schools of Ontario or to confirm any rights or privileges previously existing.

Statements have been made to the contrary. Recently before the Canadian Club in Quebec City, in an address subsequently printed in pamphlet form, so able and responsible a citizen as Senator Belcourt made the following statement regarding the Separate Schools Act of 1863: "The first part of the Act gave to Roman Catholics the right to elect trustees to conduct the Catholic Separate Schools, in other words the right to fully administer the schools. Other provisions of the statute dealt with the right to determine the kind and description of the schools, in other words to have schools where both languages would be taught, as it had been prior to 1863." Surely the right to elect trustees can hardly be considered the "right to fully administer the schools." As to a right to determine the kind and description of the schools, that was something granted to public school trustees, and hence also to separate school trustees, but there is nothing in the Act to suggest that schools might be classified according to the languages taught.* Equally remote from the Act, either by statement or implication, is any reference to language in separate schools. It is inconceivable that having laboriously built up a

* The comment of the Privy Council on this point reads: "The kind of school referred to in subhead 8, section 73, is in their (i.e., their Lordships') opinion the grade or character of school, for example a girls' school, a boys' school or an infants' school."

system of Common Schools, Upper Canada should with a stroke of the pen demolish it, as Senator Belcourt's interpretation of the Act of 1863 would indicate. As a matter of fact the Roman Catholic Separate Schools of Ontario are no more than Public Schools to which certain privileges in respect to religion have been allowed. The good citizens of Quebec assembled to learn the truth about the language situation in Ontario should have been told that under clause 13 of the Act and frequent decisions of the Privy Council the teachers of Separate Schools are subject to exactly the same examination as Common School teachers generally; that under clause 26 of the Act, Separate Schools are subject to such inspection as may be directed from time to time by the Department of Education, while something like a hundred generous pages are required to contain the Departmental Regulations, applicable alike to Public and Separate Schools, printed by order of the Legislative Assembly of Ontario. Nothing is gained and much may be lost to any cause by inaccurate or partial statements.

But one thing which the British North America Act did and was intended to do was this: to make Ontario and Quebec for ever independent of each other in the matter of education, except that no privileges granted

to Protestants in Quebec or the Catholics in Ontario previous to Confederation in respect to denominational schools could at any time be withdrawn by the Provincial Legislatures. It was to Protestants as Protestants, and to Catholics as Catholics, not as French or Irish or Scotch, that these privileges were secured. French may have other claims to consideration in the Common Schools, sectarian and non-sectarian, of Ontario, but it is impossible to base these claims on section 93, clause 1, of the British North America Act.

Another change of some importance in the interval between 1851 and 1885 must be noted. In 1878 the suggestion of Doctor Ryerson was finally acted upon and the Council of Public Instruction gave way to the Department of Education. The educational affairs of the province, with the Minister of Education in charge, were thus brought directly under the control of the government of the day, and thereby became a proper target for opposition attacks; and instead of dwelling in the serene air breathed by judges and commissions, education was compelled to take its place amidst the dust of the arena of politics. All of which had its disadvantages as well as its advantages. This, no doubt, Doctor Ryerson clearly foresaw, but he was a firm believer in democracy and he urged the change.

Then in 1881 an innovation was introduced, certainly legal and apparently innocent, but in reality, as the event has proven, significant and momentous. We have seen that in 1872 the Germans of Waterloo County asked for an Inspector of the German departments of all the Public Schools of Ontario. Doctor Ryerson was rather at a loss what to recommend, but decided that the County Councils might be allowed to appoint examiners to examine candidates in French or German at the semi-annual examinations. However, the privilege asked by the Germans and politely refused them was granted to the French. Mr. Summerby, the Inspector of Prescott and Russell, received as his assistant Mr. O. Dufort, whose duty it was to visit and inspect the French schools of the united Counties of Prescott and Russell.

It is to be noted that Mr. Dufort was given the title of assistant inspector, and in certain respects was subordinate to Mr. Summerby. But it is also to be noted that Mr. Summerby, while of English origin, was able to converse in French and was a very sympathetic as well as thoroughly competent official. He remained an inspector in Prescott and Russell for a full generation, and no one can read the official correspondence of that period without feeling that he deserves the thanks of the Province for

the considerate and statesmanlike manner in which he performed the duties of what at times proved a very trying position.

In 1883 Mr. George W. Ross became Minister of Education in the Mowat Government. Himself an ex-teacher and of Scotch origin, he sought to institute a progressive policy. In the very year of his appointment, as he himself stated some years later in the House, he " proceeded to inquire into the extent to which the schools of Ontario were exclusively French, and somewhat to his surprise he found them quite numerous, namely, twenty-seven." Consequently in framing the instructions to teachers in 1885 he provided that English must be taught in every school within the jurisdiction of the Education Department.

Here then was a distinct departure from previous practice. The new Minister of Education—with his progressive or meddlesome spirit, as you will—determined that local boards of trustees had long enough been allowed to neglect the interests of the children entrusted to their care by failing to provide instruction in the prevailing language of the Province, the Dominion and the Continent.

The reception which greeted these instructions was varied. Many sections welcomed any provision making for efficient instruction in English; many were more or less unconcerned;

some were definitely opposed. For example, certain Hawkesbury citizens made a definite stand, and used the good offices of their member, Mr. Alfred Evanturel, who afterwards became Speaker in the House, to forward their cause. On the 25th of June, 1887, Mr. Summerby wrote the Department asking for further information about the general instructions for teachers of English and French schools, dated September, 1885. He went on to say: "I find that I am not quite certain that every child in the school is to learn English during his whole school career, or whether he is first to learn the elements of French reading and not to take up the study of English until he is promoted from the A B C book to book No. 1 of the series in use in our schools. The doubt is as to which children come under the head of Class 1 in the 'General Directions.' In Hawkesbury Public School we have a whole department, some sixty or seventy pupils, in the A B C book or French primer. Are they to learn English while they are learning to read the primer in French, or are they to begin their English education when they are promoted from that room and begin to read the 'Premier Livre'?"

In reply the Department asks the opinions of Mr. Summerby and Mr. Dufort in the matter, "so that the teaching of English may be

introduced with the best effect," and Mr. Summerby sends his opinion, in which he says Mr. Dufort concurs, as follows:

"I am quite satisfied with the course in English drawn up by Mr. White, but to remove all doubt as to the point of time in the French child's school career at which the study of English is to begin, I would have it distinctly understood,—

"1st, that every child is to learn English during his whole school career;

"2nd, that during the time in which the French pupil is learning to read the French primer, or A B C book, the instruction in English for him is to be entirely oral, and that he is to begin to read English when he is promoted to the next French reading book."

But the Minister of Education had also to consider a petition from seventy citizens of Hawkesbury. It was dated August 15th, 1887, and read as follows:

"Honorable Sir:—

"Your humble petitioners have learned with regret that the regulations compelling the teaching of English in schools attended by French-speaking pupils are about to be enforced by the School Board at Hawkesbury.

"The prayer of your humble petitioners consists in that, taking into consideration the

peculiar composition of the schools of this village, you may find it possible to allow matters to continue as during the previous ten or twelve years. In the Public Schools' department of Hawkesbury village there are six rooms taught by as many teachers. In three of these rooms English only is taught and in the other three French only.

"Attending these rooms was an average of 350 children, 150 in the English and 250 (sic) in the French rooms.

"Now in the opinion of your humble petitioners, an exception might be made in the case of this school, allowing matters to continue as heretofore, as we consider the mixed education will certainly be a disadvantage to French-speaking children."

The petitioners apparently were not satisfied with anything less than the exclusive use of French in these three rooms. A month earlier Mr. Summerby had written the trustees drawing attention to Regulation 24 and saying: "I understand that regulation to mean that every child in the public schools of Ontario must learn English. Of course that is not to interfere with his right to learn French if that is his mother tongue. In that case he may learn both languages, but he must learn English." He was not inclined to ask for more

than the "merest rudiments of English for the French children: conversation, reading, spelling and dictation. From thirty to forty minutes a day in the lower room, with perhaps twice that time in the others." "Surely," he says in writing to the Minister, "this is not too much time to give to the study of English in a public school in an English-speaking province. If we have English taught at all we must begin with the larger schools, where the trustees can afford to pay teachers capable of teaching both languages, and Hawkesbury is our largest school. The petitioners say in effect that a knowledge of English would be to the disadvantage of French-speaking children. This is preposterous. Of the hundreds of French children now growing up in Hawkesbury, the great majority will probably seek a livelihood in English-speaking communities. It would in my opinion be to the detriment of the cause of education in these counties to allow matters to go on as heretofore in the Hawkesbury school."

The Hon. Mr. Ross could not but recognize the weight of the arguments of the Inspector. For the first time a Minister of Education in Ontario, when appealed to, put down his foot, gently it is true, but definitely, in the matter of the French language. Mr. Ross writes to Mr. Evanturel: "If you will refer to Regulation

24 of the Education Department—a regulation which was approved by the House—you will see that the study of English is obligatory. From the letter of the Inspector you will observe that he is disposed to interpret the regulations very liberally. The amount of English which he requires to be taught would not interfere with the classification of the school, nor would it require the appointment of an additional teacher. The rule, which is now urged upon your attention, is of uniform application, and is generally observed in all schools in which the French or German language is taught. To postpone its application indefinitely is beyond my jurisdiction. As the petition from the Board of Trustees came to me through you, I send you the official answer."

This correspondence has been given in some detail because it marks the first formal objection on the part of any French-speaking citizens of Ontario to having their children taught English; and because it gives the story of the earliest recorded attempt to bring pressure to bear on the government. There have been objections raised at other times and other similar attempts to influence the Department have been made and will be made, but this Hawkesbury incident deserves record as the first of its kind.

Not content with merely insisting on the study of English in French schools, Mr. Ross endeavored to improve the standard of teachers. He had no desire to take any action which might appear drastic, yet action was imperative. In 1882 Mr. Summerby had reported that it was necessary to depend for the supply of teachers on the Province of Quebec, where the standard was so much lower that few were able to pass even the third class examination. Consequently when Mr. Ross wrote Mr. Dufort for advice on this point, he asked if the entrance to the High Schools would be a sufficiently high standard to be demanded. Mr. Dufort's reply of July 20th, 1885, is interesting as indicating the conditions prevailing in the French schools of Eastern Ontario at that date. It reads: "I certainly approve your intention of having examinations conducted in French, and of having a common standard by the various Boards of Examiners. Although I remarked that the teachers under my control are advancing in culture and efficiency, still I think that the entrance to the High Schools will be sufficiently high for the present. I have no doubt that this is a step in the right direction." In 1885 some children were passing their entrance examination at the age of ten in Ontario schools, and few bright children with good educational facili-

ties at a later age than twelve or thirteen. Yet for teachers entrusted with the future welfare of the youth of the French counties of Ontario, the entrance examination was considered as a sufficient test of intellectual development and general information. The stinging charge of *Le Pays,* made a few years ago, that the educational system of Quebec was simply making the French "hewers of wood and drawers of water" to the English is recalled by this admission on the part of Mr. Dufort.

Quotations from Mr. Dufort's annual report for the year 1887 will further illustrate the backward condition of these schools:

"The number of schools under my control is sixty-five, and I have the satisfaction to state that they are doing better work than when they were under the supervision of English Inspector who had not enough knowledge of French to address the pupils in their mother tongue, much less to correct the pronunciation and examine in the various subjects taught. . . . The greater part of the buildings are log houses. . . . The provisions for lighting are in most cases very defective. . . . The doors and windows (in most schools) being the only means to let out the vitiated air, must necessarily be pernicious to the children.

"Reading shows a marked improvement from year to year. . . . I regret very much to state that in certain sections the parents offer much opposition to this most excellent method (the phonetic method), alleging that they want their children to be taught according to the French-Canadian pronunciation, but I hope that in due time we will overcome this difficulty and convince all opponents that if children are taught to read French they must be taught to give the correct French pronunciation.

"In writing the standard is quite satisfactory. . . . Arithmetic, which I am sorry to say was a neglected subject, receives much attention in all the schools and is progressing fairly. To show to what extent the subject was neglected, I may mention that I once inquired of a lady teacher how many times a week she taught it, and she answered that she taught arithmetic once a week, on Friday afternoon. Not long ago teachers hardly taught this subject to junior classes, confining them to reading and a little writing, the result being that children were found reading in the second book and were quite ignorant of numeration and notation; with the good will and co-operation of the teachers this state of things has changed, and they are taught to solve practical problems in an intellectual manner. . . . Mental

work, which was considered of very little importance, received more attention than formerly and progresses satisfactorily. . . . Children take a delight in this subject (drawing); they regard it as an amusement and a recreation. The most pleasing feature is that parents offer no opposition to the study of this new subject. . . . There has been a change for the better since my first visit in 1881, and, on the whole, the work of education is carried on in a satisfactory manner."

A further striking proof of the inefficiency of the French schools was given by an incident which occurred in 1886. In that year an effort was made to open a Model School somewhere in Prescott and Russell, so that teachers might be trained in Ontario, and the necessity of looking to Quebec for a supply of teachers obviated. The County Council had asked for such a training school. Mr. J. F. White, Inspector of Separate Schools, submitted a list of special recommendations for an English-French Model School. Mr. J. J. Tilley, the Inspector of Model Schools, accepted these recommendations. All was in readiness in June. But Mr. Summerby and Mr. Dufort were compelled to report in November of that year, after making diligent search, that a properly qualified principal for the school was not

available. The qualifications demanded for the staff were modest enough. The principal was to hold at least a second class professional certificate and was to be able to instruct in English as well as in French, while the other two teachers were merely to be conversant with both English and French. Yet only in the fall of 1889 was it found possible to secure a staff with the desired qualifications.

The situation existing in the French districts of the province was not considered satisfactory by Mr. Ross. Besides there were rumblings of a coming storm in the House. Since Confederation the school question, greatly overworked in the years immediately preceding 1863, when Separate School Bills were of almost annual occurrence, had become comparatively quiet. Sir Oliver Mowat could say that for the thirteen years prior to 1885 no word of complaint had been uttered in the House against the administration in the matter of its conduct of the French schools. But stories from Prescott and Russell had been reaching the erect ears of the sentinels of Protestantism. The Toronto *Mail* had taken the war-path, and on March 8th, 1889, Mr. Craig, the member for East Durham, laid down " the great principle that they could only have one language—the English language—in the public schools," and in this stand he had been supported by the leader

of the Opposition, Mr. Meredith, who had declared that "he would give the broadest utterance to his feelings even if it should be to drive him from public life."

Mr. Ross had not been inactive. On his appointment he had begun to inquire into the situation. Two years later he had instructed teachers in French schools to give an average of two hours and a half to the study of English, although he was aware that up to this time little or no English had been taught in many, or even most, of the schools. In the Hawkesbury case the inspector was allowed to interpret these regulations in a liberal spirit, and from this precedent the inspectors and the trustees might infer that there was nothing really binding about them, at any rate about their specific terms. The regulation itself was worded mildly. It read: "The programme of studies herein provided shall be followed by the teacher as far as the circumstances of the school permit. Any modifications deemed necessary should be made only with the concurrence of the inspector and trustees. In French and German schools the authorized readers should be used in addition to any textbooks in either of the languages aforesaid." "Shall be followed" is mandatory enough, but phrases like "as far as the circumstances," "any modifications," "the concur-

rence of the inspector and trustees" (not the Department), and finally "should (not shall) be used," combine to give the impression that the Minister was tendering advice rather than laying down a compulsory law.

All this was not considered satisfactory by Mr. Meredith and his followers. They demanded English, and English only, in all the schools of Ontario. Not uncommonly while in opposition a party may suggest a policy which it would hesitate to propose under the responsibilities of office, but in this case there is no reason to suppose that some consideration was not given to the means by which French might be banished entirely from the schools. It would have meant the replacing of a very large number, probably the great majority, of the teachers in the French districts by English-speaking teachers. It would have meant the removal of many boards of trustees, who would have been unable, or in some cases unwilling, to attempt to secure competent English teachers and provide the taxes for their support. It would have meant a greatly increased provincial grant to many of these sections that the salaries might be raised to the prevailing level and somewhat above it in order to make English-speaking teachers contented in solidly French districts. All this would have been involved, and more besides,

where the French pride was touched and a spirit of hostility was engendered. Whether it would have been wise to attempt such a course at that time we shall perhaps better determine when the events of the last twenty-five years have been reviewed, and the manner of dealing with similar situations occurring in the West has been set forth.

One effect of the bringing of the French question into politics was the appointment of a commission to investigate the conditions existing in the French and German schools. The commissioners were the Rev. Professor A. H. Reynar, of Victoria College, the Rev. D. D. McLeod, of Barrie, and Mr. J. J. Tilley, Inspector of Model Schools. It has been asserted that the provincial elections were hurried on in the fall of 1911 in order that they should be over before the publication of Doctor Merchant's report; in the present instance it was suspected that the report of the commissioners was hastened by the impending elections of 1890. At any rate only a few months were consumed in getting the information and publishing it.

The general tone of the report was cheerful. Evidently the commissioners did not wink at abuses or gloss over failures. They clearly recognized the difficulties to be encountered in any endeavor to bring good English schools to

poor French settlers. They emphasized the fact that "time must be allowed and patience exercised" if the desired end was to be achieved. But they regarded the general progress already made as fairly satisfactory. The details of the report are particularly interesting when compared with the findings of the same commissioners four years later, and with those of Doctor Merchant published in 1912.

The situation in Prescott and Russell is shown to be quite different from that in Essex and Kent, or that in Simcoe. In the latter counties the proximity of English-speaking settlements evidently had served to simplify the problem. Many of the schools of Essex, it was reported, could scarcely be distinguished from English schools. In twelve of these English was mainly the language of the schools, in fourteen French and English were used about equally, while in four only was French the language of the school. Twenty-nine of the thirty-four teachers were described as able to speak English with considerable fluency. Indeed six of these were English-speaking teachers, five of whom were more or less qualified in French. In the counties of Kent and Simcoe the few scattered French schools showed even more clearly the effect of their English environment. An interesting commentary on the situation in Kent is afforded

in Inspector Nichols' report of the following year. He tells of the difficulty of securing competent teachers in the French schools, and then goes on to say: "I cannot willingly end this report without adding that in School Section 1, Dover, and in Union Section 1, Tilbury East, though these sections are as French as those I have referred to, the use of French in teaching has been abandoned during about ten years, and with the most gratifying results so far as the use of English by the pupils is concerned, and I believe the people in these sections have no desire to return to the dual system."

In Essex and Kent most of the teachers were found to hold regular third class certificates, with a sprinkling of second class, while the salaries were respectable for that time, most of them being about four hundred dollars. Not only was the standing of the pupils in English generally praised, but the progress achieved in the other studies received frequent and favorable notice. The people were described as usually understanding English, and speaking it with some fluency, while "their language, their religion and love of nationality have been fully preserved."

The French schools of the County of Simcoe are all found in the Township of Tiny, which forms a peninsula jutting out into Georgian

Bay. They mark the survival of the early French settlements first founded by those heroic missionaries to the Hurons. Three of the teachers in these schools did not speak French, and stated that they experienced difficulty in teaching the young French children. Three others had been imported from the Province of Quebec. Their knowledge of English was described as quite limited, and the work of only one of the schools was favorably reviewed. A curious phrase occurs in the report of School Section number 6, Tiny. One Denis McNamara, having eight years' experience, is receiving five hundred dollars to teach a school in which the French children are slightly in the majority. "This is virtually an English school," say the commissioners, "with a teacher who does not speak French. The French pupils understood and spoke English fairly well, but showed no marked superiority over those who have French teachers." One is compelled to wonder why, in view of their opinion that "the teachers employed in these schools should be able to speak French as well as English," the commissioners expected that Mr. McNamara's classes would show a marked superiority over those whose teachers spoke French.

In the town of Penetanguishene rather peculiar conditions were discovered. Here is

still to be found one of the few Protestant Separate Schools of Ontario, the public school being Catholic and predominantly French. The Commissioners reported: "In the public school English had always been taught, but French was also formerly taught in the junior division by teachers who could speak both French and English. For several years past English has been taught exclusively."

In eastern Ontario the conditions in the French districts were found to be on the whole much less satisfactory. There has been little mixing of the populations. In rural parts the tendency was for the French to settle in solid communities. They took up land passed over in the earlier settlements, or bought out English-speaking farmers who were moving to the West, with the result that the other English-speaking families were inclined to sell also and leave the field to the French. Thus school sections tended to become exclusively French or exclusively English. Where the French were in the majority and could control the trustee board, the English complained of the quality of the teaching, while the French contended that they received but scant justice from teachers unable to speak French. The situation of the English minority was admittedly one of difficulty. The teachers in schools controlled by French boards were neither well

trained nor well paid. The average salary was $227, while one lady was content with an annual return of $115. The commissioners reported that "as many of the teachers have attended only the public school in the district, and have received no professional training, they are not proficient in approved methods of teaching." Some French parents themselves were complaining that the children were making very slow progress, and in some cases learning to read words and sentences which they did not understand.

Of the sixty-nine teachers in the French schools of Prescott and Russell, three were found to have attended High School and two a Model or Normal School. One held a second class certificate and one a third class certificate, two county board certificates, forty-seven district certificates and eighteen held permits. In other words, the trustees in these schools were securing teachers who in all but two cases, so far as certificates indicate efficiency, were quite below the lowest standard accepted generally in the Province of Ontario. Some boards of trustees undoubtedly would have been willing to pay higher salaries and secure better teachers had such been available. Others were like the board of School Section 19, East Hawkesbury, whose secretary had written the Department in 1887 a letter which deserves to

be reproduced, both for the style of the French and for the comment which it evoked from Inspector Summerby.

"En réponse a la vôtre en date du 3 fevrier dernier, je dois vous avouer que nous avons une certaine partie terrain qui ne paye point à nôtre école et qui se trouve tout près nôtre école. Par ce fait mênu cela met nôtre arrondissement plus petite et dans l'impossibilite de pouvoir engager une institutrice d'un haut prix. Celle que nous avons tout l'arondissement en est très satisfait. Nous en avons jamais eu de meilheur. Je crois faire pour le mieux. Je suis peiné pouvoir faire autrement.

"Votre serviteur,

"Hilaire Binette, Jr."*

Mr. Summerby is not impressed by this tale of woe, and his advice to the Department is as follows:

"On these (reasons) I may remark:

"(1) The section is certainly a small one,

* Mr. Binette's hand was not very plain nor his acquaintance with classical French very intimate, but the government printer who handed the document down to posterity in the following form must have acquired his knowledge of French in an Orange lodge: "En reponse a la votre en date du 3rd Fevrier, derneir je dois vous avoner que nous avons une certainé partié terrain qui ne page point a nôtre ecole et qui se trouve tout pres nôtre ecole par le fait mênu cela met nôtre arrondessement de pouvoir engage une institutricè d'ien haut prix celle que nous avons tout l'arrondessement en tris satisfait nous en avons jamais en de meilleur ji couis fair pour le mieux je suis pénie pouvre faire outrement."

but there are weaker sections in the township that employ regularly qualified teachers.

"(2) The fact that the people are satisfied with the teacher is no proof that she is a good one; many sections are satisfied with any teacher that is cheap.

"We are willing to make allowances for weak sections, and to grant temporary certificates, if necessary; but hold that the board of examiners or inspector, and not the people and the trustees, are to be the judges of the teacher's fitness for the position.

"The teacher employed in this school was temporarily qualified for the first half of 1886; it was explained to her that she would have to attend the examination in July, and she was duly notified of the date of the examination, but neglected to attend.

"In such cases we can do nothing but refuse to issue a second temporary certificate."

Besides the inadequate training of almost all of the teachers, the English-speaking residents of these sections had to complain of the use of unauthorized textbooks containing religious dogma and also the illegal use of school time for religious instruction, to the average amount of thirty-three minutes each day in these counties. It is little wonder that occasionally bad blood would show, that the Eng-

lish settlers when they found themselves a minority should feel that they had a grievance against the educational authorities and the government, and that the French newcomers, whose numbers increased rapidly through the eighties, should find it difficult to appreciate the difference between the privileges they could legally claim in Ontario and those they had possessed across the Ottawa.

The Township of Cambridge affords a case in point. This township was originally settled by English-speaking people, but gradually its complexion became French, largely owing to the zeal in colonization of a local priest. In the fall of 1889, in a little country school of this township, occurred an incident which illustrates the tension of feeling accompanying the change. The account which appeared in the Toronto *Mail* in a letter signed "Methodist Minister," may be reproduced in part; at the investigation held by Inspectors Summerby and Tilley the teacher admitted its substantial truth.

"Before they arrived at the schoolhouse next morning those who attended school that day first met on the roadside and agreed to stand up for the English language. As the school was entered, the mistress, perceiving that the books brought were not French, was not slow

to open her campaign with the reminder of the previous evening, 'Did I not tell you, if you would not bring French books, I would send you home? Why did you not bring them?' Her query was answered by a resistless fusilade that might have astonished her. Lennon Baker stood up and replied, 'My father told me he sent me here to learn English, and I am going to, and we are all going to.' Then turning to the others he asked, 'Won't you?' and the reply of each was, 'Yes, I am going to.' 'Won't you, Jem?' 'Yes, my grandfather said I must.' By this time the mistress, seeing the unanimity of the Protestant 'combine,' said, 'I see you have all agreed on what you will do, and I suppose I must let you, and I shall teach French to the other children.' At this a little fellow called Gainer, not eight years old, as if he was the colonel of the party, sings out, 'No, you can't do that; this country does not belong to France, and you must all learn English; my grandpa says so.' So ended this first skirmish for English or French in the schools. But is it the end?"

Mr. Summerby's explanation of the regulation to the erring teacher makes the matter so clear that one could wish all departmental orders had been issued in phrases equally lucid: "I may further say that you would

have been equally wrong had the pupil been French instead of English. Not even French pupils can be compelled to study French, but they may elect to take it up as an additional subject, it being distinctly understood that English must not thereby be neglected or slighted."

The report of the three commissioners and the extreme stand taken by the Opposition in the House were not without their effect on the Government. The motion of Mr. Craig was defeated on a party vote, but only after the Government had countered with an amendment which was carried on April the 4th, 1890. There were four clauses in the amendment. Clauses 3 and 4 have reference to the inspection and efficiency of French and German schools and to the establishment of special Model Schools in French or German districts. Clauses 1 and 2 have since become famous as they appear, albeit somewhat changed by age, in Regulation 17, and should be reproduced in their original form.

"1. In school sections where the French or German language prevails, the trustees with the approval of the inspector may in addition to the course of study prescribed for the public schools require instruction to be given in French or German reading, grammar and

composition, to such pupils as are desired by their parents or guardians to study either of these two languages, and in all such cases the authorized textbooks in French or German shall be used.

"2. It shall be the duty of the teacher to conduct every exercise and recitation from the textbooks prescribed for the public schools in the English language, and all communication between teacher and pupil in regard to matters of discipline and in the management of the school shall be in English, except so far as this is impracticable by reason of the pupil not understanding English. Recitations in French or German may be conducted in the language of the textbook."

Thus by definite regulation was French made permissible as a subject of study and English obligatory as the language of communication—but with a certain exception. The next chapter will show how an ocean was admitted through this hole in the dyke.

## CHAPTER III.

### *REGULATION 17.*

THE history of the twenty years following the agitation of 1889 need not be reviewed in detail. In that time three generations of children had passed through the public schools of Ontario, for the average school life of the Ontario child is a bare seven years. Plenty of time had elapsed since the momentous instructions given to teachers in 1885 in which to produce a considerable body of young men and women of French origin well trained in English. From these the ranks of the teaching profession could have been supplied with bi-lingual teachers, while the French people at home, through the influence of these teachers, could have been convinced of the value of a thorough knowledge of the prevailing language of the Dominion and the Continent. The law and the regulations were meant to produce a silent revolution of this nature.

Four events only may be noted. In 1893 the same three commissioners who had acted in 1889 were asked again to investigate conditions in the French districts. In the Counties of Prescott and Russell they were able to report "a decided advance on the state of

things which we found on the occasion of our former visit." Of the teachers, nineteen were pronounced "excellent," thirty-four "good," eleven "fair," nine "inferior," and one incompetent to teach English, as compared with a record four years earlier of twenty-six "good," twenty "fair," and nineteen "not competent to teach English with any degree of efficiency." The commissioners commented on the excellent work performed by the Plantagenet Model School in training teachers. Separate schools they found "to say the least, fully equal to the public schools in regard to the standing of their teachers and to the diligence and efficiency with which the English language is taught." Their findings, then, would indicate that the revolution was proceeding satisfactorily.

Then in 1896 Sir Wilfrid Laurier became Prime Minister of Canada. The coming into office of a French-Canadian premier could not fail to have a marked effect upon the language situation, for the question is quite as much one of feeling and psychology as of law and regulation. As a boy Sir Wilfrid had spent a year in a Protestant elementary school in order to acquire a knowledge of the English language. As a young man he had delivered the valedictory address for his class at McGill University, which closed with an appeal for sympathy and

union between the French and English races as the secret of the future of Canada. His respect for English speech is clearly shown by his mastery of English idiom, already famous in 1896; and his desire for good relations between the two races had been voiced in many public utterances. Here then was a bi-lingual premier, equally proficient in English and French, as a model to the hundreds of boys in the French-English schools of Ontario, each one, in the estimation of his fond parents or the dreams of his own ambitions, a premier in the making.

Ten years later the government of Sir George Ross was overthrown in Ontario. The destinies of the French-English schools of the province were now in the hands of the party which in 1890 had taken a strong stand for "English only" in the schools, and many of whose members were connected with the Orange Order, and consequently traditionally suspicious of things French and Catholic. A new broom sweeps clean, and thoroughness was to be expected from a new broom in such hands.

Lastly a glimpse shall be given into conditions then existing in Ottawa, lest anyone should think Regulation 17 solely responsible for trouble in the schools of the capital. On Sunday, February 25th, 1906, a meeting of English-speaking separate school ratepayers

was held in St. Patrick's Hall and the following resolution was passed: "That in the opinion of this meeting, the only solution to the present acute condition of things which has lately been intensified between the French-speaking separate school supporters and the English-speaking separate school supporters of this city is by the dissolution of the amalgamation of the two sections of the Roman Catholic Separate School Board of the City of Ottawa, as entered into in 1903, and to revert to the compact entered into in 1886, whereby it was agreed that there be two sections in the Separate School Board—the French section controlling the finances and management of the French schools, and the English section controlling the finances and management of the English schools." In other words, the English-speaking Roman Catholics at Ottawa, now in the minority as to numbers but not as to wealth, had found it impossible to work with their French co-religionists, and were asking for a return to the arrangement under which their schools should be completely separate, an arrangement similar to that obtaining in Quebec between the Catholic and Protestant committees of the Council of Public Instruction.

After twenty years, then, of comparative quiescence, the whole question was again

forced upon the public notice at the clarion call of Bishop Fallon. On the occasion of Mgr. Fallon's first visit to Sarnia in his episcopal capacity the Hon. W. J. Hanna, the Provincial Secretary of the Ontario Government, called on the new bishop, and the same day wrote his colleague, Doctor Pyne, the Minister of Education, an account of the interview. Some months later this remarkable document became public property. Quebec papers were the first to refer to it, and for a time the secret of its publication was a mystery. At length, however, the Secretary to Hon. Dr. Reaume, the French-speaking Minister of Public Works, was dismissed from his position, being regarded as the person who had abducted the letter and caused its publication, thus spilling the fat in the fire. The letter is given in full. As an historical document it is all the more valuable since it was not intended for publication.

"Sarnia, Ont.,
"May 23rd, 1910.

"Hon. Dr. R. A. Pyne,
"Minister of Education,
"Normal School Building, Toronto.

"Dear Dr. Pyne:—

"Yesterday afternoon Rev. Father Kennedy (Curè of Sarnia) telephoned me asking myself and Mrs. Hanna to go to meet Mgr. Fallon,

Bishop of London, who was to officiate here on the occasion of his first visit to this part of his diocese. After some conversation Bishop Fallon expressed the desire to see me particularly with regard to a matter of great importance to this part of the Province, which concerned the whole question of bi-lingual teaching in the schools. It is difficult to quote him literally, but I will give you the substance of his words:

"He said he had passed the greater part of his life in this Province, having been born at Kingston, and later lived a long time at Ottawa, while, with the exception of his ministry at Buffalo, he had always lived in Ontario and interested himself in the Province's ecclesiastical affairs. He feels that he is in a position to know whereof he speaks: that being in charge of the diocese of London, which comprises a large number of French-Canadians in the County of Essex, he understands that this question is one of great practical importance. In fact, personally, he considers this question as above all others as regards the well-being of his diocesans.

"He had not reached this conclusion at once, but he had resolved, so far as it is in his power, to cause to disappear every trace of bi-lingual teaching in the public schools of his diocese. The interests of the children, boys and girls, demand that bi-lingual teaching should be dis-

approved and prohibited. He says he is assured to-day that there are children going to public schools in certain parts of Essex who are unable to speak English, and this three generations after their ancestors arrived in this country. Assuredly nothing more could be needed to prove that the teaching of English has been completely neglected amongst the French-Canadians of that district. We belong to a Province of English-speaking people, part of an English-speaking continent, where all children leaving school to engage in the battles of life must be armed first of all with the English language, cost what it may. If, in addition, they are able to speak French, Italian, Polish, or any other language, so much the better, but it is absolutely necessary that the base of their education should be English.

"I observed to his Grace that, according to my views, in districts where the French-Canadians were numerous and spoke French it was believed that the master of such a school would succeed better and would be able with better advantage to conduct the children to the use of English by speaking French.

"To this he replied that it was a mistake, and if it was thus in theory it was never put honestly into practice; that the argument in favour of having a French master in French-speaking districts was the argument of cleri-

cal or political agitators, and, shaking his arm and fist towards me, he said, 'I will engage myself to look after the clerical agitator, but I cannot control the political agitator, if it is in the sphere of politics, without the aid of others.'

"He added that the French masters had been imposed on these schools contrary to the desire of the parents and the interests of the children; that in the County of Essex he declared to those who wanted him to impose the French master in French-speaking districts that he would be ready to take a vote of the French-Canadian parents themselves, and leave them free to register their honest convictions themselves, and would be happy to abide by the result, but that this offer had not been accepted. He proceeded to say that the politicians and the French-Canadian political agitators did not fail to say that the French-Canadians controlled fifteen or seventeen counties of Ontario. He replied that the French-Canadians did not control anything of the kind, that they had worked for ten years under falsified or stuffed census lists, as in the Province of Quebec, always with one end, their single aim being to control church and state, and that instead of being crushed or choked off they would dominate in both.

"That in order to make the Government take the attitude which is believed to be the desire of the great majority of the Catholic Church in this Province, the Bishops had recently met and had formulated resolutions, and that soon a deputation representing the episcopal gathering would go to the Government and submit their views. That they were resolved to put this question as one which outranked all others in so far as it concerned them and their subordinates. That up to now they had let it go, but had lost much ground by their silence.

"I then suggested that I did not think the Government was prepared to act according to the suggestions of the Congress in favour of bi-lingual instruction. He immediately hastened to tell me that he did not think my information was complete. He said that an English school inspector named Sullivan at Windsor had been notified since some time ago to discontinue the inspection of certain schools in Essex, and that although he did not know whether his successor had been appointed, he had been told that a certain Chaney would probably be appointed in his place. I am not sure that Chaney is the name, but it is some name that is pronounced as though it ended in 'haney.' He added that although Chaney was a perfectly respectable man, a man whom he had met and knew and was happy to meet, he

would simply be a farce as inspector of these schools. Then he added that he could not believe the rumor that at Ottawa and its environs certain certificates accorded to teachers by the Province of Quebec would be accepted by the Department of Education at Toronto.

"As to that I told him I knew nothing.

"Throughout, his attitude was not that of an enemy, but we must not deceive ourselves. He is an extremely energetic man, and has this question very much at heart, and whatever comes of the matter he will either give it all his support or all his opposition in his diocese.

"He rejects with scorn the idea that one should teach the children in their maternal language behind the desk at the same time as the language of the school. He seemed full of the idea that the pupils must be obliged to understand English, and to speak it in their lessons and games, and that hearing nothing but English in the schools, they would understand it in two or three months, and that any other mode would be contrary to the interest of the children.

"His whole manner left me free to write this memoir without breach of faith, since there was nothing personal or confidential in this discussion. He added that much as he wished to attain his ends without any clash, he was

ready to make his views publicly known if necessary throughout his diocese.

"I suppose that you and Sir James Whitney will be glad to know how much this question is taken to heart by the Bishop, and therefore I am sending a copy of this letter to Sir James.

"Sincerely yours,

"W. J. HANNA."

On October 17th, 1911, shortly after the above letter was published, Bishop Fallon issued a statement on the matter at Goderich. In the statement he exonerates Mr. Hanna from all responsibility for the publication of the letter. He protests, however, that there is no reason why the very important subject of education should be discussed with bated breath, that he had never surrounded his views with a veil of secrecy, and that there was nothing confidential in his conversation with Mr. Hanna. He wished Mr. Hanna to use the information, which seemed to astonish him very much, in any way he pleased. He declared that the statement as published conveyed an impression in several places which did not agree with his own remembrances of the conversation, and that the reported meeting of the bishops of Ontario in fact had no basis at all.

A long account follows of the unsatisfactory educational conditions in his diocese. Inci-

dents are presented and statistics quoted to show how frequently in French-speaking communities boys left school practically illiterate, and how rarely any of them succeeded in passing the Entrance.

The statement then concludes with the following striking paragraph:

"This whole question is not a contest between English-speaking and French-speaking Catholics; it is a matter of great public moment. On the one side of the discussion are a certain number of French-Canadians led by noisy agitators; on the other side are also French-Canadians in no small numbers, together with the rest of the population of the Province of Ontario, without distinction of creed or nationality. And let me hazard the prophecy that when this second division awakes to the gravity of the situation it will make short work of an alleged bi-lingual school system which teaches neither English nor French, encourages incompetency, gives a prize to hypocrisy, and breeds ignorance."

What was to be done? Here was a responsible and influential Bishop of the Roman Catholic Church—Irish, it is true, but quite familiar with conditions in Ottawa, as well as in Essex, as a result of his residence in Ottawa College—who had ventured to con-

demn in no uncertain terms the type of schools maintained by the French trustees of Essex and Kent under the sanction and with the support of the Province of Ontario. It was not the use of the French language which he denounced, but the attempt to conduct the study of both English and French simultaneously with the same pupils in the same elementary schools. In a sentence which rang across the country he declared that the bi-lingual system "encourages incompetency, gives a prize to hypocrisy and breeds ignorance."

Before the House could meet to discuss the crisis precipitated by the bold words of Bishop Fallon, the Toronto *Star* undertook to give the eager public further enlightenment on the situation. Mr. E. J. Archibald was sent out to investigate conditions in Essex and Kent. He was able to speak French and was manifestly sympathetic to their claims. He pays tribute to the cheerfulness, courtesy and earnestness of the teachers and is much impressed by the discipline of the schools and the manners of the pupils. On the other hand he refers to the lamentable irregularity of attendance and the general apathy towards the question of education. The entrance examination he describes as the *Ultima Thule* of education, up to which the minds of the children go with difficulty and beyond which they do not ven-

ture. He does not think that the fault lies with the teachers, apart from the nature of their qualifications, nor does it lie wholly with the system. A quotation here will serve to show something of the general attitude of Mr. Archibald at this stage of the investigation. "The writer may be very far astray and stands subject to correction by those who know more of the conditions than he can hope to know, but it does not seem that the fault lies wholly with the bi-lingual system either. . . . Perhaps we, with our characteristic rush and impatience, wish to move things too quickly. Languages are not learned in a day by individuals, much less by nations. Fifty years ago the English-speaking child was the great novelty; to-day they almost all know something of it, and many of them know it well. Will not the passage of time and the unending, resistless push of circumstances force them, in order that they may survive in the keen battle of life, to equip themselves as their future competitors are equipped?"

In October of the same year Dr. F. W. Merchant, a trusted official of the Department of Education, was commissioned to report upon the English-French schools, public and separate, of the Province. The examination of schools was begun on November the 2nd, 1910, and completed on February the 8th, 1912. At

the same time the Toronto *Star* continued its inquiry, now turning to eastern Ontario and northern Ontario as well, for as lumbering operations were pushed farther up the rivers and railway development followed the discovery of valuable mineral areas, a very considerable French population was straggling across the upper Ottawa and settling in New Ontario. Associated with Mr. Archibald in this more extended investigation was Mr. H. M. Boland who, like Mr. Archibald, was familiar with French but, unlike him, was a Roman Catholic. Their joint articles appeared almost daily throughout November and December, 1911. The purpose of these articles was to give the public an unofficial comment on the still unpublished official findings of Doctor Merchant. There may have been present also something of the feeling of one citizen of Plantagenet who was reported to have said, "You might as well try to catch a thief with a brass band as go about an investigation in the way Doctor Merchant is doing it." Probably it was felt that the public was growing restless over the delay in obtaining information necessarily involved when one man undertakes to inspect the work of six hundred teachers. At any rate, from whatever motives the articles were prepared the value of the information they contained cannot be disputed.

It will not be possible to give a detailed account of what Mr. Archibald and Mr. Boland saw and heard as they went about from school to school. Certain observations they made, however, must be recorded. In Prescott and Russell they found educational conditions backward. Very few of the French pupils were attending High School. Rockland, with a population of three thousand, had only thirty-five names on the roll of the High School and most of these were those of pupils who had been trained in the little English public school with its fifty children. In the village of Plantagenet, with a much smaller school population, there was a high school with an attendance of forty-five or fifty. It should be noted that Plantagenet was the village selected as the site of the English-French Model School, and that the residents of that village for over twenty years had enjoyed good school facilities. The bi-lingual schools generally, it was found, did not bother with the entrance examination. Children ordinarily left school before they had even approached that standard, while those few pupils, either brighter or with more ambitious parents, who did continue their studies through the elementary schools were sent to Catholic secondary schools. One of these had been established by the Franciscan monks across the river from Plantagenet, at

Papineauville, at which instruction was given in French, and board, tuition and books were supplied for one hundred dollars a year, a rate with which the high schools could not compete. One parent at Bourget was asked whether the French did not send their most advanced pupils to the High School at Rockland. His reply was, "No, and we don't intend to. I am sending two boys to Ottawa College myself, and I advise everybody around here to do the same. We do not intend to send our children to any High School unless more French is taught in them. At present our children get only three hours a week at French in the regular High Schools, and we do not approve of that. You say that in many of the French communities the High Schools are not supported by the parents of the vicinity, and that is just the reason."

The correspondents make frequent reference to the steady influx of French to take the place of the departing English settlers. "Because of the inconvenience of a double language system, because of the difficulty of securing a proper public school education where it exists, English-speaking residents are steadily moving out of the Ottawa valley. There is a ready sale for every acre of ground thrown upon the market, and one need never wonder who the purchaser will be. Unless he is the son of some French-

Canadian already resident in this part of the country, he will be some man from across the river who has obtained from some source the money necessary to buy him an Ontario farm."

In many of the schools, so deep-seated was the bi-lingual idea, it was found that the day was divided according to language. The morning was given over to French and the afternoon to English. This method, by the way, is occasionally employed in Quebec in schools which aim to give a bi-lingual training. The following conversation with a teacher was reported:

"You teach French in the schools?"

"Certainly."

"More French taught than English?"

"No, they are both the same."

"Could you teach more English?"

"No."

"Why?"

"The inspector wouldn't allow it. Then there are the regulations, you know. The regulations state as much attention is to be paid to teaching French as English."

It is to be hoped that this teacher, who, it should be noted, had been granted a certificate to teach in Ontario, was as inaccurate in her impressions of the inspector as she was in her interpretation of the regulations.

The need of better teachers was emphasized by one of the leading citizens of Warren, a village in Northern Ontario, who was reported as saying: "Candidly, I am of the opinion that if better teachers can't be secured, it would be a good thing to drop the pretence they are making of teaching English. One has difficulty in understanding the teachers themselves when they speak English, so what can you expect of the children. Look at the salaries they are getting—three hundred dollars a year is the most a great number of them get; a few get four hundred dollars. The people themselves cannot do much more, so it looks as if the only hope of a remedy must come from the government." Largely as a result of the kind of teachers obtainable the correspondents found a general apathy on the part of the people towards education. Only occasionally did the boy or girl remain in school for more than five years. The parents acknowledged that they took their children out of school because they had come to the conclusion that to keep them there longer would be a waste of time. While the father was away in the woods there were always chores to be done at home. Soon the boys would be big enough to go to the woods themselves, and then the father would remain at home. As for the girls,

their help was always welcome about the house.

The general situation was thus summarized:

"In practically all the schools French is used to a predominating extent in teaching the junior classes of French children.

"In a great many of the schools French is the language of the school, right through to the higher classes.

"In some schools no word of English is ever spoken.

"In practically all of them, even where English is taught to a greater or less extent, a portion of the day, not generally less than an hour or an hour and a half, is devoted even in the higher classes to the teaching of French.

"Most of the bi-lingual schools of the Province are inspected by one or other of the two French inspectors appointed by the Ontario Government for the purpose. . . .

"Naturally where the French are in the majority the trustees are French, and a French teacher is engaged. If any question of qualifications or of school grants from the government arises the inspector's decision prevails. . . .

"In some localities the children pick up more English on the streets and the men more in the lumber camps than the pupils do at school.

"A comparatively small number of children from the bi-lingual schools ever attempt the entrance examination, a much smaller number succeed, and the number who ever attend any of the high schools of the Province reaches almost the vanishing point.

"A great proportion of the children leave the bi-lingual schools of Ontario without an equipment in English or in other subjects which properly fits them for citizenship in this country."

The above summary preceded in publication the official report of Doctor Merchant by some two months. Bishop Fallon's stirring words and the useful enquiry conducted by the Toronto *Star* had prepared the public mind for Doctor Merchant's report. It created no surprise, but simply confirmed impressions previously existing. However, its importance was very great. The solid information it contained and the pedagogical views it put forth prepared the way for the now famous Regulation 17.

Doctor Merchant visited in all 269 elementary schools in which French was used. The number of teachers in these schools was 538. Seventy-six schools with 104 teachers he omitted to visit, but assured himself through correspondence that the schools not visited

were similar in type to those visited and presented no new features. The classification of the pupils and the character of the work accomplished are exhaustively shown in various tables of statistics. Interspersed are to be found general observations. The last ten pages contain the commissioner's conclusions as to the causes of inefficiency and the conditions tending to promote efficiency.

The first table is startling enough in its information. It gives the classification according to certificates of the 538 teachers inspected. Altogether fifteen classes of certificates are mentioned. It is difficult for the lay mind to keep pace with the refinements of such a table, and one may be pardoned for not attempting to explain its intricacies. However this much of the classification is plain and eloquent: 69 teachers possessed no certificates, 141 had only temporary certificates, while only 47 held the second class certificate, which is considered the minimum requirement for all urban schools and the great majority of the rural schools in Ontario apart from the French districts.

About fifty per cent. of the teachers granted temporary certificates were from Quebec, but very few of these had training higher than that required for the third class certificate in Ontario. Of the teachers visited, twenty-two were reported as not having "sufficient com-

mand of English to speak the language with any degree of freedom. Eighteen others are described as somewhat better equipped, but still "unfitted to be teachers of English." The remainder "may have a more or less strongly marked French accent, but otherwise use the language with a fair degree of ease and correctness."

An examination of the tables which give the length of service and the salaries of teachers reveals the fact that almost sixty per cent. of the teachers had occupied their present position for less than a year, while only twenty per cent. were receiving salaries of over four hundred dollars.

Statistics as to the attendance of pupils were prepared only for Essex and Kent. In these counties unusual irregularity of attendance was found to exist. The younger pupils were being kept at home during the severe weather of the winter months, while the older pupils were being detained for work in the spring and in the autumn. This is accounted for not by any discontent of the parents with the kind of instruction given in the schools, but because of their desire and that of the owners of canning factories to employ profitable labor even at the expense of education. To quote:

"Labor conditions in Essex and Kent are somewhat exceptional. A large portion of the

land in the French-Canadian settlements is given up to market gardening or to the raising of crops, such as tomatoes, corn, and sugar beets, which require a great amount of care in planting, care, and harvesting. Children are required to do a considerable share of this work. The canning factories in the river-front towns also employ a large number of children during the busy season. Many of these children, I am informed, are below the legal age. The matter should receive further attention from the factory inspectors."

In the schools visited there were 18,833 French-speaking children and 2,812 English-speaking children. If the 104 teachers not visited presided over classes of the same size as did the 538 who were visited, that would mean about 22,500 French-speaking children all told enrolled in the elementary schools of the Province. This in itself may be regarded as a proof of the very unsatisfactory enrolment, unless the usual estimate of the French population of the Province, namely 250,000, is greatly exaggerated. The 1911 census gives the number of people of French origin in Ontario as 202,442, but unfortunately our census, nowhere scrupulously accurate, is far from reliable in such difficult classifications as that of origin. The school population gen-

erally may be arrived at fairly accurately by dividing the total population by five. In the Province of Quebec, for example, the total enrolment in all schools, primary, intermediate and secondary, in 1912 was 400,036, while the population of the province according to the 1911 census was 2,002,712. Under this rule the number of French children in the schools of Ontario should have been between 40,000 and 50,000. As a matter of fact the enrolment was about 22,500, plus the comparatively few French pupils attending purely English schools and secondary schools. It would look as if investigation might prove enrolment to be as unsatisfactory as Doctor Merchant found the attendance of those enrolled in Essex and Kent.

In the instructions to teachers for the year 1890 it will be remembered that it was stated that recitations should be conducted in English except where this was impracticable by reason of the pupil not understanding English. The teachers in the French schools apparently made generous use of the exception. In this connection, while emphasizing the difficulty of securing detailed statistics, Doctor Merchant is prepared to generalize as follows: "A study of the returns shows that, on the whole, there is a somewhat marked difference between the practice in the public and the Roman Catholic

separate schools of Essex and Kent, on the one hand, and the practice in the Roman Catholic separate schools in eastern Ontario and the public and the rural Roman Catholic separate schools in the districts on the other. In the latter schools there has been developed a type of school in which French is employed in teaching all subjects except English (composition, grammar, reading and spelling). In these schools English is regarded simply as one subject among others in the course of study. Approximately eighty per cent. of the Roman Catholic separate schools in eastern Ontario, and ninety per cent. of the public and of the rural Roman Catholic separate schools in the districts conform more or less completely to this type. In certain centres, doubtless, this form of organization has been purposely adopted, because those in control believe that such schools give the kind of education which should be provided for French-speaking children; but in most cases the type of school is a natural development of the conditions. Teachers who have received but little professional training are inclined to use in teaching French-speaking children the language of instruction which they find the children to speak most freely. Further, many of these teachers have received their academic training in French schools, and accordingly are prone

to use the methods followed in their own instruction."

The great advantage of frequent inspection with young teachers, that is to say if the inspectors in their suggestions are inclined to be positive rather than negative, and helpful rather than censorious, is emphasized by Doctor Merchant. Yet he is compelled to point out that most of the French-English teachers, sixty per cent. of whom had been in their positions less than a year, were visited only once in the course of the year by the inspector.

The commissioner's remarks on the conduct of the pupils must be reproduced in his own words. It coincides with the impressions of the commissioners of 1889 and those of the two representatives of the Toronto *Star*. "The discipline in the English-French schools is, as a rule, excellent. The teachers have good control and the pupils are well behaved. One of the most noticeable features of the schools is the politeness of the children. This is manifest, not only in the formal reception of visitors by the classes, but especially in conversation and in acts of courtesy in the school and on the playgrounds." It is to be hoped that the riotous scenes subsequently witnessed in the course of the Ottawa school strike may not have served to corrupt the good manners of the children who were spectators and victims.

Perhaps the most serious of all the revelations made by the report was that contained in the table giving the classification of the schools. In the public schools of Ontario 38.69 per cent. of the pupils at the time of the report were in Form I or the first book. In the French schools of eastern and northern Ontario the percentage in the first book varied between 56.31 in the separate schools of Prescott and 59.53 in the separate schools of the Districts, averaging approximately 58 per cent. In western Ontario the showing was somewhat better, but even there more than half the pupils were still wrestling with the lessons provided for minds just graduated from the infant stage. Form IV is the highest grade in Ontario public schools, and at that time 19.59 per cent. of the children in the public schools were in Form IV, that is, reading the fourth book and within sight of the entrance examination. In the English-French schools of eastern Ontario the percentages ranged between 5.23 in the separate schools of Russell and the City of Ottawa and 13.25 in the public schools of Stormont and Glengarry, and averaged something less than 7 per cent. In another place Doctor Merchant speaks of the tendency, not indeed confined to English-French schools, to promote the pupils too rapidly, and says that in the schools inspected "at least 60 per cent. of all the

pupils from Form II senior to Form IV senior would be doing more thorough and permanent work in classes one or two divisions lower than those to which they have been promoted." That being the case, less than 3 per cent. of the boys and girls being educated in the schools maintained under public supervision and in part supported by public grants were sufficiently advanced for the work of the highest class in the public schools. On the other hand, as another table shows, almost exactly half of the pupils aged ten years were still occupying themselves—or trying to do so—with the petty tasks of the first form.

All the knowledge of English which Doctor Merchant expected of those pupils in Form I —that is of nearly 60 per cent. of the pupils enrolled—was an "ability to give the names of familiar objects and actions and to use a very few common action, attributive and relational words." In spite of this modest requirement, which under proper instruction ordinarily bright children might have been expected to reach in a fortnight, few of the first classes inspected were reported as "good" in English. In summarizing the standard in English Doctor Merchant makes no reference to the very great number of children who must have been leaving school before reaching Form III,

since nearly 80 per cent. of the attendance was in the first two forms, but says:

"In what proportion of the schools are the children learning to speak, to read, and to write English? The question is difficult to answer, because ability in any sphere is relative and cannot well be measured by a fixed standard.

"One can say with confidence that the children who leave the third and fourth forms of certain schools are acquiring the power to speak, to read, and to write. In these schools English conversation, English reading, and English composition are graded, I, I-II, or II, depending upon the standing. With equal confidence it may be said that the pupils leaving the third and the fourth forms of other schools are not acquiring these powers. In these schools conversation, reading and composition are graded IV, IV–V, or V, depending upon the standing. Of the conditions in the remaining schools, there is room for reasonable differences of opinion, depending upon one's interpretation of 'speak,' 'read,' and 'write.'"

The information so laboriously secured and so exhaustively exhibited in statistics is summed up in a generalization which only served to substantiate the spectacular statement of Bishop Fallon. Exception is made in

the case of certain schools, urban and rural alike, some of which are mentioned, but the general situation is thus stated: "It is evident from an examination of all the tests applied that the English-French schools are, on the whole, lacking in efficiency. The tests combine to show that a large proportion of the children in the communities concerned leave school to meet the demands of life with an inadequate equipment in education."

The causes of this inefficiency in the schools are described as five in number: (1) the difficulties inherent in the bi-lingual system, (2) the irregularity of attendance, (3) the preponderance of low-grade teachers, (4) the lack of opportunity for attending school in isolated communities in the districts, and (5) the impression that the regulations of the Department do not apply to separate schools to the same extent as to public schools.

Finally, in dealing with conditions which promote efficiency, certain principles are laid down which within a few months were to be incorporated in Regulation 17. Most important, perhaps, of these is the dictum, "The best results are obtained when the medium of instruction is, in the beginning, the mother tongue." This view had been upheld twenty years earlier by Sir Oliver Mowat, and Doctor Merchant quotes in its support Doctor Mackay

of Nova Scotia, Doctor Parmalee of Quebec, and Mr. Owen Edwards and other authorities from Wales. It is the fundamental doctrine on which the administration of the bi-lingual schools of Ontario is based. It is not a doctrine universally accepted. In fact, many educationalists take quite the contrary position, that it is neither necessary nor wise to use one language as a medium for teaching another. Recently Mr. W. J. Sisler, a Winnipeg educationalist, who has had exceptional opportunities for studying the question, wrote me: "I am rather surprised that the idea still persists, for even those who advocated it here a few years ago have given up the idea of 'bi-lingual teaching,' and now base their demands for a second language on what they call their 'natural right.'" However, this point will be discussed in the concluding chapter. For the moment it is sufficient to point out that Doctor Merchant advocated the indirect method of teaching language, and declared that "the organization which gives, on the whole, the most satisfactory results requires the pupil to remain three years in Form I and two years in Form II, during which time English is made gradually to replace French as the medium of instruction."

It is admitted that the lack of competent teachers is the chief obstacle in the way of the

improvement of English-French schools, and that "with a sufficient force of well selected and well trained teachers who have a clear and sympathetic grasp of the needs of the English-French schools and of the means of supplying them the schools might in a reasonable time be made quite as efficient as the schools in English-speaking localities." Doctor Merchant evidently does not share Bishop Fallon's idea that the bi-lingual school is necessarily inefficient. However, when he comes to discuss the means of securing these teachers he makes two illuminating statements. The first is that the applicants for training must necessarily come from the French-speaking population, and the second that a permanent solution of the problem can be found only in the closer connection of the English-French schools with the high schools of the province. There is not the faintest suggestion that the high schools, by emphasizing the study of French and turning out a body of young men and women whose native tongue is English, capable of using the language of the most polished nation in Europe and of two and one-half millions of the people in Canada, might assist in no small measure in settling this vexed question. Apparently that would be asking too much of the Anglo-Saxon.

Doctor Merchant's report is dated February 24th, 1912. Regulation 17, in its first form,

was published on June 17th of the same year, and in its amended and present form in August, 1913. The 1912 regulations—or instructions, as they are called on the circular—undoubtedly were not such as to satisfy those who desired to secure to their children the right to learn French in the schools. On the other hand, they failed to give the ultra-Protestant electors and members exactly what they loudly demanded in the election of 1911, namely English and English only in the schools.* It was claimed subsequently by their sponsors that the regulations were intended to be merely tentative, and supporting this contention is the fact that, contrary to the usual practice with such regulations, they were expressly headed as for the school year September to June, 1912-1913. But there was nothing to show that at the end of the year the French might expect more consideration, and there was one definite clause at the very outset which indicated that

* One candidate, smarting from the tooth of slander, was reported to have averred in the seclusion of a certain ward smoker: "It has been stated that I am in favor of bi-lingual schools. I will say this, that I am entirely opposed to the teaching of French in the public or separate schools of the Province of Ontario. I never at any stage felt any doubt as to where I stood. I want to tell you good people that English is good enough for me. It is good enough for the Dominion of Canada. As long as I have anything to say in the legislature I will fight for English and English alone." The Attorney-General (an Irish Catholic, by the way) at one of his meetings read a statement in which he expressed the view that "no other language (than English) should be taught in the schools," and that "there cannot lawfully be any bi-lingual schools in the Province of Ontario."

they might expect less consideration *after* June, 1913. Indeed the most natural interpretation of the regulation, and not merely one the product of minds rendered over-sensitive by race prejudice, was that the year 1912-13 was intended to be a year of grace given by an indulgent majority to a careless minority, after which no further consideration would be shown the delinquents.

But the purpose of the regulation can better be discussed with the famous clauses 3 and 4 of the 1912 document before the reader.

### English-French Public and Roman Catholic Separate Schools.

3. Subject, in the case of each school, to the direction and approval of the Supervising Inspector, the following modifications shall also be made in the course of the study of the Public and Separate Schools:

#### *The Use of French for Instruction and Communication.*

(1) Where necessary in the case of French-speaking pupils, French may be used as the language of instruction and communication; but such use of French shall not be continued beyond Form I, excepting during the school year of 1912-13, when it may also be used as the language of instruction and communication in

the case of pupils beyond Form I who, owing to previous defective training, are unable to speak and understand the English language.

*Special Course in English for French-Speaking Pupils.*

(2) In the case of French-speaking pupils who are unable to speak and understand the English language well enough for the purposes of instruction and communication, the following provision is hereby made:

(*a*) As soon as the pupil enters the school he shall begin the study and the use of the English language.

NOTE.—Before the schools open in September, 1912, a Manual of Method for use in teaching English to French-speaking pupils will be distributed amongst the schools by the Department of Education.

(*b*) As soon as the pupil has acquired sufficient facility in the use of the English language he shall take up in that language the course of study as prescribed for the Public and Separate Schools.

*French as a Subject of Study in Public and Separate Schools.*

4. For the school year of 1912-1913, in schools where French has hitherto been a subject of study, the Public or the Separate School Board, as the case may be, may provide, under the following conditions, for instruction in French

Reading, Grammar, and Composition in Forms I to IV [see also provision for Form V in Public School Regulation 14 (5)] in addition to the subjects prescribed for the Public and Separate Schools:

(1) Such instruction in French may be taken only by pupils whose parents or guardians direct that they shall do so.

(2) Such instruction in French shall not interfere with the adequacy of the instruction in English, and the provision for such instruction in French in the time-table of the school shall be subject to the approval and direction of the Supervising Inspector and shall not in any day exceed one hour in each class-room.

(3) Where, as permitted above for the school year of 1912-1913, French is a subject of study in a Public or a Separate School, the text-books in use during the school year of 1911-1912, in French Reading, Grammar, and Composition shall remain authorized for use during the School year of 1912-1913.

It will be noted that a distinction is made between the use of French as a language of instruction and French as a subject of study. This distinction is difficult to maintain, and tends to obscure the meaning of the regulation. After June, 1913, instruction *through* French is to be permitted only in Form I, and then

only to such pupils as are not capable of being instructed *through* English. Instruction *in* French is to be allowed schools where French has hitherto been a subject of study. Such instruction is to be given only when parents direct that their children shall have it; it is not to exceed one hour a day in any class room; it must not interfere with the adequacy of the instruction in English, and it is not guaranteed beyond June, 1913.

The word "hitherto" in clause 4 has become a storm centre. The whole clause should be considered in relation to that old regulation adopted in the Legislature on April 4th, 1890, and persisting even yet, with slight modifications, as Regulation 12 (2). It reads: "In School Sections where the French or the German language prevails the Board may, in addition to the courses of study prescribed herein, require instruction to be given in French or German Reading, Grammar and Composition, to such pupils as are directed by their parents or guardians to study either of these languages, and in all such cases the authorized text-books in French or German shall be used. But nothing herein contained shall be construed to mean that any of the text-books prescribed for Public and Separate Schools shall be set aside because of the use of any of the authorized text-books in French

or German." Now, Regulation 17 (4) substitutes "Schools where French has hitherto been a language of study" for "school sections where the French or German language prevails" of the old regulation, and this is the only change of any consequence in the clause, unless it be regarded as of consequence that the redundant and strangely phrased last sentence of Regulation 12 (2) is omitted.

What was involved in this change? What occasioned it? In the first place the significance of the word "prevails" was doubtful. The legal mind might exercise itself over the question as to whether it meant simply "is frequently used" or "is more frequently used than any other language." It was convenient to get rid of a word which might lead to controversy. Then it was undoubtedly the case that practically all school sections where French prevailed (taking the term "prevailed" in its more obvious interpretation as equivalent to "was the prevailing language") had French taught in their schools as a subject of study. There might be a few sections where French was taught and where the English were in the majority, such as the town of Windsor, but they were so few that they needed hardly to be considered. So that it may be said that in June, 1912, the school section where French prevailed and those in which French

was a subject of study, practically coincided. Thus far no startling change was introduced by the new wording, but the word "hitherto" made a world of difference between the old and the new regulation. The most reasonable interpretation to be given it is this: that in any school where it had previously been a subject of study French might continue to be a subject of study, at any rate during the year 1912-1913, but only in such schools. In other schools it might be used as a vehicle of instruction for children new to the school and to English, but it could not be used as a subject of study.* In other words, neither in new schools in old French settlements, such as Windsor and Ottawa, nor in the new settlements rapidly being opened up by the French along the Ottawa and in northern Ontario, could the children enjoy the privilege of studying the French language and literature in the schools. The public and separate schools were not to be used as a means by which the French language was to be spread further through Ontario. Thus the tide of the threatened French invasion might be stemmed.

Fourteen months later Regulation 17 was published in a revised and presumably permanent form. A careful study of the altera-

* The text of the 1913 regulation will be found in Appendix II.

tions made should serve to sober the advocates of "English only" in the schools and to illustrate the difficulties attending coercive measures in respect to language.

The first change might easily escape notice, but it really serves to emasculate the "hitherto" clause. In 1912 English-French schools were defined in accordance with their real character, namely, as those in which French was used either as a medium of instruction or as one of the studies. In 1913 they are defined as those "annually designated by the Minister for inspection as provided in 5 below" (that is by both English and French inspectors) "and in which French is a language of communication and instruction." The obvious interpretation of this is that from the whole class of schools where French is used, steadily increasing from year to year, each year the Minister may choose to designate some as what they are, and others he may refrain from so designating. Those designated as what they are would fall within the scope of the operation of Regulation 17, while those not so designated would fall within the scope of some other regulation. Was there any alternative regulation which would apply? Now, as it happened, the old regulation applicable to such schools had never been removed from the printed regulations of the Department, although clearly dif-

fering from Regulation 17 (4), and as an earlier regulation naturally, one would suppose, cancelled by a later regulation dealing with the same matter. This sturdy veteran, having stood the storms of more than twenty winters, is still, however, pressed into service. Whenever in the case of a new school in a district where the French have recently settled, or an old school in which they have recently gained the ascendancy, the Minister chooses not to designate the school in accordance with its manifest character as English-French, it need not thereby be regarded as purely an English school, but it may fall under Regulation 12 (2) and consequently use French as a subject of study. In this way, if the Minister so chooses, he may reduce the incidence of Regulation 17 indefinitely, and thus be able to assure the fearful that all this pother about "hitherto" is quite unnecessary.

Another amendment in the new regulation has reference to inspection. In 1912 it was provided that two inspectors should visit each English-French school, a supervising inspector, responsible chiefly for the efficiency in the instruction in English and specifically responsible for the enforcing of clause 3, and another inspector responsible for the instruction in French. In 1913 these inspectors are put on a level, and the chief inspector is made respon-

sible for enforcing clause 3, and for deciding "in the case of each school" to what extent and in what way it shall apply. In clause 3 (1) it is provided that, with his approval, French may be used as a language of instruction beyond Form I in any particular school. The discretionary powers thus allowed the chief inspector are very large and comparable even to those allowed the Minister in designating the kind of schools. Their proper performance would demand an inspector of exceptional energy and grasp of detail. At any rate the local English inspectors must have been pleased to be relieved of the onus of enforcing clause 3, and the local French inspectors would no longer be subjected to the stigma of being associated with colleagues who were distinguished as *supervising* inspectors.

Clause 4 (2) shows another and an important concession to French feeling. It was provided in 1912 that not more than one hour a day could be given in the "hitherto" schools to the study of French. To this is added in 1913 the words "except where the time is increased upon the order of the chief inspector."

Finally from clause 14 are deleted the words "No grant shall be made to any English-French school which does not provide teachers with the qualifications specified in 13 (1)

above," that is, a knowledge of the English language sufficient to teach the public school course. A natural inference is that the engaging of a teacher not qualified in English was no longer to be considered as an offence sufficiently serious to warrant the withholding government financial support.

Three school years have passed since the second Regulation 17 went into force. Since that some twelve thousand children of French origin have said their last lesson in school. Whether they are better fitted to take their places in life than were those of whom Bishop Fallon and Doctor Merchant spoke it is impossible here to urge or deny. No official documents are available to lead one to a conclusion. The inspectors' reports are sealed to the public. Even the names of the teachers and their salaries and certificates do not appear in the annual report of the other public and separate school teachers. The greatest revolutions are often achieved silently and imperceptibly, and it may be that in the French schools a better state of things is gradually being attained. The English-French Model Schools have now been increased to four in an effort hitherto unavailing to provide an adequate number of trained teachers. Special aid has been promised to weak schools to enable them to secure competent teachers. The attempt to

conciliate clearly shown in the revision of Regulation 17 continues, except for occasional outbursts of a member before the electors of a distant constituency. But the ghost raised by the instructions of June 1st, 1912, will not down. The English inspectors have been treated with scant courtesy in certain schools. In Ottawa it was thought necessary to appoint a commission to replace a Separate School Board, the majority of whose members were unwilling to work under Regulation 17. The French ratepayers objected to the commission and refused to send their children to schools over which they no longer had control. In this attitude they had the support of their compatriots in Quebec. Mr. Bourassa especially fulminated against the Prussian sway exercised by Queen's Park. Enough money has been spent on litigation to turn half the struggling French schools into radiant centres of light.

## CHAPTER IV.

### *MANITOBA AND LEGALIZED BI-LINGUALISM.*

In recent times Manitoba has gained considerable notoriety by reason of its provincial politics, and nowhere in Canada has education suffered more from the fact that it is purely a provincial matter than in Manitoba. Indeed, in the last analysis the school question has been in large part responsible for the "mess of politics," to use a phrase the late premier made historic in the course of some fatherly advice to a deputation of ladies who had the temerity to ask for the suffrage. The nature of the disease which blighted the careers of many thousands of children and seriously affected the welfare of the whole Province and Dominion is here reviewed, not because it is pleasant to contemplate, but because it forms an integral part of the present enquiry. His Royal Highness, the Duke of Connaught, in one of the earliest of his addresses in Canada, used these words: "It is in the proper and sympathetic education of the young of the Dominion that the future of Canada lies." No truer or more timely words were ever uttered to a

people for the moment seduced by material prosperity from devotion to first principles. But it is sometimes by contemplating the results of bad policy and improper methods that the public can best learn to abhor evil. It is consoling to reflect that Plato's ideal physician was one who had in his own body suffered all the diseases which afflict mankind.

When Manitoba entered Confederation, in 1870, it had not developed a system of education. Side by side in the Province there had grown up the English-speaking population, largely Scotch, and the French-speaking population, in part tinged with Indian blood. The hereditary feud of the Hudson's Bay Company and the Northwest Trading Company was long maintained by their servants, respectively English and French for the most part. The earliest school of the Red River Valley was established in 1818 by Father Provencher on the present site of St. Boniface. Two years later the Rev. John West opened a school for the English-speaking settlers across the river. Even yet that river, so far as education is concerned, has not been securely bridged. After the admission of Manitoba to Confederation a Board of Education was appointed to control all the schools of the province, but it was divided after the Quebec model into two sections, one to have control over all Protestant

schools and the other to have control over all Catholic schools. At that time the population was about equally divided, but by 1889, such had been the volume and character of the immigration in the interim, the Protestant section was in charge of 629 school districts and the Catholic section of only 90.

Radical changes were introduced by the Act of 1890. The years following the Riel rebellion had been filled with bitter controversy. The militant spirit of Joseph Martin pervaded political discussion. The result of his perfervid oratory was shown in the Act of 1890. All sectarian schools were abolished, and religious instruction was confined to the last half hour of the day. Even then it was quite optional with the trustees whether any instruction should be given, and no child was under any obligation to remain for it. Thus the Roman Catholics, who had founded the first school in the Province in 1818, who had provided the greater part of the education between that date and 1870, and who for the next twenty years had enjoyed virtual autonomy in their own schools, were now brought under the operation of a law which denied public support to any school which was not free and undenominational. Those who had conscientious or other objections to sending their children to these public schools, were compelled,

notwithstanding, to pay taxes for their support. The matter was sent to the courts, and finally the Privy Council, reversing the unanimous decision of the Supreme Court of Canada, decided that the rights of the Roman Catholic minority existing prior to Confederation had not been prejudicially affected by the Act of 1890. The Federal Government thought otherwise. It introduced a Remedial Bill and went to the country, with the result that the people of Canada decided that the majority in Manitoba had a right to rule and refused to remedy the alleged injustice.

That was in 1896. In November of the same year an agreement was entered into between the Manitoba Government and the Federal Government. The memorandum signed by the Hon. Clifford Sifton and Sir Wilfrid Laurier, representing respectively Manitoba and Canada, consisted of two clauses, one providing for the introduction of the provisions of the agreement at the next session of the Legislature "for the purpose of settling the educational questions that have been in dispute," and the other with eleven sub-clauses to regulate the manner of giving religious instruction. For the present discussion none of these clauses is important excepting the one which provides that "where ten of the pupils speak the French language (or any language other

than English) as their native language, the teaching of such pupils shall be conducted in French (or such other language) and English upon the bi-lingual system." The agreement became part of the School Law of Manitoba in the following year, but it failed to perform the proposed task and settle the questions in dispute. For one thing, it did not define what was meant by the bi-lingual system, nor did it provide for the supply of teachers capable of operating such a system. Then again, apparently, it did not take into consideration the chaos which might result when Manitoba became a polyglot province. The policy inaugurated by Mr. Sifton himself was to go out into the by-ways and hedges of Europe and compel the people to come in that our house might be filled. While the French along the banks of the Red River and the Mennonites in the fertile plains of southern Manitoba remained the only non-English speaking people the bi-lingual clause was fairly simple of application, but with the coming of numerous peoples from continental Europe the problem was greatly complicated. If the newcomers chose to settle in solid colonies, there was the difficulty of bringing the English language and Canadian ideals into the schools, whereas if they became mixed it was quite possible to have two or three different languages in a

single school contending for the privilege of being associated with English "upon the bi-lingual system."

Moreover, ever since 1890 there had been a serious defect in the School Law. In the original draft of the bill of that date a clause compelling attendance at school had been included, but this clause had been deleted, since legal advisers had pointed out the doubtful constitutionality of compelling Roman Catholics to attend non-sectarian schools in view of the rights they had enjoyed prior to Confederation. In the law of 1897, and in subsequent Acts until 1916, there was the same omission. An ignorant or selfish parent of no religious convictions was relieved of legal obligation to send his child to any school, all because the lawyers had held that a Roman Catholic parent was under no obligation to send his child to a public school. This fact, in addition to the inadequate provision for organizing and financing new and weak school districts, had deplorable consequences. It was estimated by a careful and well informed authority that no less than thirty thousand children of school age in any given day of the year 1910 might be found otherwise engaged than in school. The illiteracy of Manitoba became a byword throughout Canada, and after the visit of Hon. Herbert Samuel in 1913, even across the

Atlantic. Mr. Samuel, it will be remembered, ventured to say at Montreal, in reference to the educational situation in Manitoba: "I cannot refrain from expressing pain that in one of the largest and most progressive provinces of the Dominion I should find a state of things existing almost a generation behind the rest of the civilized world," and was called for his pains by the Premier of the Province "a jelly-bag of an Englishman."

The Union Point case, which was fought out in the courts, indicated the inconvenience, not to say hardship, which resulted from the application of clause 258. Union Point, situated a few miles south of Winnipeg, had originally been an English settlement. As farms were vacated by English-speaking settlers moving farther west, French families moved in. Soon it became a question as to whether French or English should control the School Board. Finally one Cyrus Nolette moved in from the neighboring settlement of Ste. Agathe. He had a family of ten, and seven of them were of school age. This brought the attendance of French-speaking children over the ten required by law for the establishing of a bi-lingual school. Within a month Mr. Nolette had petitioned for the engagement of a French bi-lingual teacher. It was commonly said that he had been moved from Ste. Agathe for this very

purpose. At any rate the trustees were compelled to act. They engaged a university graduate, who had at least an academic knowledge of French. He organized the work of the school so as to give two hours each day to the study of French. This was not regarded as satisfactory by Mr. Nolette and his friends. The trustees were haled before a local magistrate and received the maximum fine. They appealed the case, and the appeal was heard by Mr. Justice Prud'homme. The finding of the magistrate was sustained. A few sentences from the judgment, which was delivered on the 19th of October, 1911, may be given:

"It has been proved by Pulcherie Nolette, who attended that school, that both on August 2nd and previous to that date Brown (the English-speaking teacher) could not speak French, that she was preparing for entrance to high school, and that Brown did not teach her French dictation, that she does not speak English and that Brown spoke English while teaching French. Inspectors Young and Goulet inspected that school in September last, and both swear that Brown was not competent to teach French."

Two facts stand out in clear relief from this passage in Judge Prud'homme's finding. First we have a teacher trained in French in high

school and university, yet on the evidence of three parties unable to speak French and trying to teach French through English. Secondly we have a girl born in Canada and educated in so-called bi-lingual schools at Ste. Agathe and Union Point, yet unable to speak English while in the highest class and preparing for the entrance to the high school. And this situation exists after schools have been by law conducted "upon the bi-lingual system" for fifteen years. It is little wonder that the public came to ask what this bi-lingual system was and whither it led; and also whether it was fair, either to children who boasted another language than English as their native tongue, or to those who did not.

Another disturbing factor in the situation was the official organizer of schools among non-English people. Among English-speaking settlers, as well as among French-speaking settlers, the people themselves or the priests were regarded as sufficiently alive to the need of education to see that the schools were organized. Generally this faith was justified. But who was to look after the hordes of immigrants flocking to the West? In myriads they came at the invitation of the energetic Federal authorities working in co-operation with transportation companies whose chief concern was the securing of profitable ballast for westward

bound liners. Ignorant of English speech, struggling desperately to get a start on the land, how were they to secure education for their children? Nothing was more natural than that men of their own speech should be appointed to assist them in forming school districts. But just here the administration failed miserably. The school organizer did everything for the political advantage of the government which appointed him and next to nothing for the welfare of the helpless communities. Whole areas settled by Poles and Ruthenians remained for five or ten years without adequate school accommodation, to say nothing of qualified teachers. It was suspected that the school organizers were really endeavoring as far as possible to keep schools from being organized. They were closely in touch with St. Boniface, and the then archbishop had refused to accept the compromise of 1897 as final. His view was that no schools at all were better than the "Godless schools" of the Act. While he held sway in St. Boniface and Sir Rodmond Roblin was premier, the French never ceased to hope that recognition would one day be given to Catholic schools. As late as 1913 the French members of the Manitoba legislature, in a complimentary address to Armand Lavergne and several other prominent Nationalists of Quebec who were visiting

Manitoba, referring to Premier Roblin and the abortive Coldwell amendments, said: "Thanks to the man you have come to honor by your presence one of the most cruel griefs, the most crying injustice of the Laurier-Greenway settlement, has been removed." At any rate the school organizers organized practically nothing but the foreign vote.

Whatever the opinion of the framers of the agreement of 1896 may have been as to the extension of bi-lingual privileges to Austrians and others, the Act plainly permitted the parents of any ten non-English children of whatever origin to demand such privileges as a right. But everywhere the practical difficulty arose of securing bi-lingual teachers for the new schools. It was manifestly impossible to secure any number of English teachers with training in Polish or Ruthenian. It was equally impossible immediately to obtain a body of Ruthenian or Polish teachers with a sufficient knowledge of English. Granted the necessity of providing bi-lingual teachers at all for the Austrians, and clause 258 was mandatory, not permissive, the only course to pursue was that actually pursued, namely, the providing of training schools. In 1905 a training school was established at Winnipeg, for both the Poles and Ruthenians. This arrangement proved unsatisfactory, and in 1907 a

second and separate training school was established for the Ruthenians at Brandon. The cost of board, lodging and tuition was advanced to the students. At the end of their three years' course and the subsequent normal course of eleven weeks they were supposed to enter the teaching profession and remain in it until they had paid back the six hundred dollars or thereabouts advanced. Needless to say, the government did not always succeed in collecting the total amount. On the whole it must be admitted that these schools were a failure. They took lads with varying degrees of education in their own language, and generally with very little knowledge of English, and undertook in three years and a few weeks to give them a grounding in the various subjects of the curricula of the public school and high school, in addition to training in the two languages and in methods of teaching. The task was quite too great for the time, and was admitted to be such by the principals in charge. Undoubtedly, also, it would have been much better if the training had been given in an environment more Canadian in tone.

It must not be inferred that other teachers of the Brandon school were of a piece with Pietro Karmansky, but he may receive notice as an example of the extremist who is likely to be developed where races are separated in the

schools. He came to Canada from Lemberg, Galicia, in July, 1912, and almost immediately was given a place on the staff of the Brandon school. Within a few months he was voicing such sentiments as this, "The Alberta Liberals have beaten the record of the Galician pan-Poles and the Russian Black Hundred," and describing the work of the Liberals and Orangemen as consisting in making our children good Canadians, that is, "to spit on their parents and their language." Shortly afterwards, on leaving for Europe, out of the fulness of his heart and knowledge, he wrote a poem of some literary merit, a translation of the first two stanzas of which may be reproduced:

"Canada, thou land of lies and narrow outlook
That traffickest in ideals, conscience, honor,
Where sacrifice is made to the common herd
Light-heartedly of all things sacred,
Where enemies and strangeness must be loved,
And where one's faith in human kind ebbs out.

"Canada,* thou sly, base harlot
Who with thy false charms
Lurest poor wretches to thy swamps
And lashest their hearts with cutting whips
With insult, slander, infamy and vileness
From the mouths of the ignorant mob," etc.

* The translation of the first line of the second stanza has been questioned, and "cruel, fickle coquette" suggested as a substitute for "sly, base harlot." The original translation, it must be said, appears to suit the context rather better.

The culture and literary ability of Mr. Karmansky were all in vain, because he had brought to his new home a mind scarred by the bitterness which centuries of oppression have branded in many a patriot of the Ukraine. Not that all Ruthenians are bitter and vindictive. For the most part those who have come to Canada are content to live peacefully on their farms, forgetting the strife of the old world they were glad to leave behind. Only when worked upon by agitators does the Ruthenian develop that sectionalism which prevents him from becoming a good Canadian. And the broad spaces of the prairies are not naturally conducive to the spread of fervent nationalism.

One other non-English group should be mentioned as affected by the language privileges granted in 1897 to all and sundry. The Mennonites had been residents of southern Manitoba for more than twenty years when the Austrian invasion began. To appreciate the peculiar educational problems their presence in Manitoba and Saskatchewan presents, one must know something of their history and their religious views. The sect had its origin in the stormy days of the Reformation in that portion of Holland by the sea now known as Friesland and in the days of Imperial Rome inhabited by the Frisii, the only German tribe

to pay tribute to Rome. The Mennonites from the first were distinguished for their unworldliness, that is, for their aversion from all display and all worldly pleasures, and also for their conscientious objection to warfare and resistance of force by force. A considerable body of this sober and peace-loving sect migrated to eastern Prussia late in the seventeenth century. Here their knowledge of lowland farming brought them prosperity, and their prosperity contentment, till the Prussians began to insist on their performance of military duties. Then they migrated in a body to Russia, being welcomed by that able ruler, Catherine II, and assigned to lands adjacent to the Black Sea. Here they remained for nearly a century, but so self-contained was the community that less than a dozen Russian words in all that period were added to their German speech. But again it became necessary for them to change their place of abode. In 1870 military service was demanded of them, and through the offices of the British Consul at Berdiansk, a Black Sea port, they were directed to Canada. First a delegation came to spy out the land, and then, with the assistance of brethren who had come to Waterloo County, Ontario, from an old colony in the United States some six thousand of these non-Russian residents of Russia took up land

in Southern Manitoba. Before doing so, however, they secured from the Federal authorities a charter of freedom, lest they might be compelled again to seek new homes because of their religious convictions. They were secured complete exemption from military duty, and the fullest exercise of their religion, with the same privileges in reference to the education of their children. It will be noted that this document conferred on the Mennonites similar privileges to those enjoyed by the Roman Catholics under the Manitoba Act of 1870. Nothing was said about language, but the Mennonites interpreted the wording of the clause regarding schools as giving them the right to use their own language exclusively, if they so chose, in education.

The Mennonites have prospered during their forty years of residence in Manitoba, but they are very tenacious of their language and customs. About a third of them still live in quaint old-world villages with their single street and their plain but comfortable houses surrounded by beautiful gardens. The dreary isolation of the prairie homestead they have thus avoided. The inconvenience of having their lands situated at a distance from their homes is less a concern to them than the quiet pleasure of social intercourse. In the midst of the village is always to be found a school building, a part

of which in many cases is occupied by the teacher and his family. These schools are not inspected by government inspectors, and in most of them the German language alone is used.

The conditions in the less progressive Mennonite districts in Saskatchewan are described by Principal Edmund H. Oliver, of the Presbyterian Theological College, Saskatoon, in his illuminating pamphlet on "The Country School in Non-English-speaking Communities in Saskatchewan." The description he gives of the educational conditions in communities which he visited will serve for an account of the situation existing in the above-mentioned villages of Manitoba.

"Not a single teacher knows English well enough to teach if he would. Not a single teacher among the thirty-two possesses any professional qualifications whatever. One of the brightest and best of these acknowledged to me that none of them was capable of handling a school. I visited thirteen of these schools. All have the same type of backless seats, the same dazzling light pouring into pupils' eyes from left, right and front, the same absence of maps, pictures and charts. Some have a blackboard three feet by four feet. One even has two, but some have none.

All the pupils pass through the same four grades:

"1. A.B.C.
"2. Catechism.
"3. New Testament.
"4. Old Testament.

"In the forenoon they sing and say their prayers, then study Bible history and practise reading. This consumes the morning hours from 8.30 to 11.30. For three hours in the afternoon they work at arithmetic and writing. It is simple fare, but is all the teacher himself has ever received. Frequently he does not even know Hoch Deutsch well enough for conversation. So through seven years they go, from October 15th to seeding and again for one month in summer, ignorant of the facts of Canadian history . . . and taught that the English language will only make it easier to lapse into the great world of sin outside the Mennonite communities."

Referring to the use of their own language in these schools Principal Oliver says: "Their adherence to their schools and their language implies no hostility to the government as such. It is a matter of religious principle. 'I believe,' Bishop Wienz said to me, 'that the Church stays better together when our people know simply one language. We are not against the

government. We pray continually for the government.'"

Anyone who has visited these people in their own villages cannot entirely condemn their attitude. They believe in education. All their children are trained in schools. Their teachers are not slips of girls, but men of character and mature judgment. Nearly all of them are married and have "teacherages" provided for them in one end of the school-house. Doctor Oliver speaks of one Saskatchewan teacher, named John Andreas, who had a family of eleven children and received as his stipend thirty dollars a month (for six months), free fuel, free tuition for his own children, and a load of hay from each farmer. Indeed, most of the teachers receive part of their salary in produce. If they teach only German, or a dialect of German, in their schools, it is not from any sinister nationalistic designs they harbor darkly in their breasts, but because they consider one language sufficient for intercourse among themselves, and they wish to have as little intercourse as possible with the wicked outside world. The difficulty of bringing English schools to the more conservative Mennonites is primarily one of religion, not of language.

It was remarked that only about one-third of the Mennonites in Manitoba have remained aloof from Canadian influences. The others,

as they have broken away from the old community life, have established schools in which English and other subjects of the ordinary Canadian school are taught in a more or less satisfactory manner. As a matter of fact, among the progressive Germans of southern Manitoba in 1912 were found real bi-lingual schools, that is, schools in which the pupils learned to read, write and speak two languages. The method employed to achieve this end was scientific. From the day the little German-speaking children entered school they were taught through English. An object was held up and its English name learned. An action was performed and the name of the action learned. A picture was displayed and described in English. In a few weeks they were learning their lessons in English almost as readily as if it were their native speech. The fact that the older children were being taught in English in their hearing served to facilitate the task of learning to think in the new language. But they were not allowed to forget their German. Every day an hour or so was given to its study, and the fact that it was the vernacular constantly used in the homes served to keep their knowledge of the two languages about equal. Indeed, it was claimed that the study of the second language actually assisted the pupil in his study of

English, so that on leaving school he had a better knowledge of English than he would have had if he had studied English only, and in addition had the advantage of knowing a second language. There is nothing unreasonable in this claim if one remembers the simple pedagogic truth that all things are understood only by comparison, and reflects on the reason why the study of Latin and French is begun at an early age in those English schools which seek to give a liberal education.

Thus bi-lingual schools, or quasi-bi-lingual schools, were developed in Manitoba among the French, the Germans, the Ruthenians and the Poles. There was considerable immigration from Norway, Sweden and Iceland, but these people were content to make the language of the land of their adoption the language of their children. Legally they could have claimed bi-lingual privileges in their schools, but they thought it sufficient if they retained their native speech in their own homes and in their churches and societies. It was not that these people had a language or a literature of no merit. Iceland, for example, has a national literature dating back to the twelfth century, and though the population of the little island is only eighty-five thousand, the annual crop of books is about one hundred, while fourteen newspapers and eight periodi-

cals are published. Many a young Icelandic Canadian with a university training has a little library of well-thumbed volumes written in his native language.

Almost the first act of the new administration, which came into power in August, 1915, was to make operative a provision which had been placed in the statutes some three years previously, and to appoint an official trustee. The provision for the appointment of an official trustee is a tacit admission of the failure of democratic institutions satisfactorily to apply at all points in our Canadian commonwealth. In framing their school systems the Western provinces borrowed largely from Ontario. In Ontario the local boards of trustees have always enjoyed considerable powers, in spite of an increasing tendency to centralization of authority. No serious difficulties have arisen from this arrangement, because the trustees are usually both able and willing to fulfil their trust and work harmoniously with the Department.

In the West, however, as people unaccustomed to Canadian ideals, or even to self-government, came to control the educational administration in various school districts, serious complications arose. It was quite possible that the ignorance or perversity of the local trustees might defeat the general will

of the province in the matter of education. Realizing this, the Province of Alberta at the very outset provided for the temporary suspension, in case of necessity, of the powers of the local trustees in favor of an official trustee. Six years later Manitoba copied the Alberta legislation, but it was only with the change of government that an official trustee was appointed. The man chosen for the position was Mr. Ira Stratton, of Stonewall. For many years he had resided on the borders of the great Ruthenian colony north of Winnipeg, and had interested himself in its education or lack of education. Besides he had been president of the Provincial Association of Trustees. His enthusiasm and tireless energy were doubtless also taken into consideration in making the selection. At the present time some thirty school districts are being managed by Mr. Stratton, in a number of cases the ratepayers themselves having requested that he be placed in charge. The work formerly done, or neglected, by the school organizers is now attended to by Mr. Stratton in co-operation with the inspectors. As a result about thirty new schools or additional rooms have been completed or are in the process of building during fifteen months' work.

Perhaps the work of an official trustee can best be understood if an illustration is given.

For two years a school building had stood, untenanted by children, in the heart of a certain Austrian settlement. Then one night a fire had destroyed it. There had been quarreling among the residents. A great debt was owing the contractor. Arson was suspected. Presently a new school building was erected, and the financial tangle was thereby increased. This time the school was actually opened. The census report showed that there were 118 children of school age in the district. Still the trustees, in order to increase the amount of money receivable through taxes, were asking to have six sections of land added to the seventeen already attached to the district. The situation required the intervention of the Department.

Mr. Stratton visited the village and got the trustees to call a meeting of the ratepayers. The meeting was called for a date two weeks later. Thirty-one ratepayers were present. They asked for a speech from Mr. Stratton. He said he had no speech, but wanted to know where they were going to build the additional school. At once certain ratepayers protested that they were too poor to build an additional school, but they were told that they had 118 children of school age, and must have another school. They declared that they did not have so many children. The register was consulted, and it was

found that there were ninety-two names on the register. They still protested. Mr. Stratton then drew a map of the district on the blackboard and started in at one corner. In five contiguous sections he found that there were forty-nine children of school age. Protests on this ground stopped. A motion was then made that a new school be built at a point a mile and a half distant from the old. The motion was carried by a vote of nineteen to twelve. Two of the trustees, however, were among the twelve. It was now a case of the majority of the trustees against a majority of the ratepayers, and the law required that the question be submitted to arbitration. The nineteen named their arbitrator. The chairman of the trustees refused to name an arbitrator for the trustees, and protested against the whole proceedings. Mr. Stratton then tested the vote, only to find that the chairman was not even a Canadian citizen. The latter was then informed that he could take no further part in the proceedings. The Department was advised to place the district in the hands of the official trustee, as there was the financial trouble to be settled as well. This was done. When the ratepayers came to vote on the question of issuing debentures another meeting had to be held and more trouble arose. Some ratepayers contended that if new debentures were issued

those who had paid their taxes of the previous year would have to pay twice. Mr. Stratton was equal to the emergency. He suggested that if arrears were paid the debentures might not be necessary. He turned up the names, showing the arrears in each case. "Is D— O— here?" he asked. "Yes." "Well, I want eighty-seven dollars from him. I want him to pay once before he talks about paying twice." Then calling out the name of the former chairman, "Is T— here?" "No." "Well, I want ninety-nine dollars from him before he pays twice." Only one more name needed to be mentioned before the issue of the debentures was endorsed. The additional school is now built and in successful operation. In order to avoid imposing any hardship on the ratepayers the Department has made a loan to the district of $1,900, at five per cent. interest. Further, in addition to the ordinary legislative grant, the special appropriation of one hundred dollars per teacher authorized to be given to weak schools is also at the disposal of the district.

Other cases with somewhat different features might be cited, but the above case will serve to show how seriously at times the welfare of the children might be neglected if the powers appropriate to trustees in the ordinary Ontario country district were irrevocably granted in every instance in non-English dis-

tricts in the West. It should be stated, however, that the official trustee is legally responsible to the ratepayers as well as to the Department of Education. He is required to consult them as to the selection of a school site, and in other matters, as well as to give an account of his stewardship at the annual meeting.

Having made provision for bringing schools to those people who had previously been denied them, the Minister of Education, Hon. Doctor Thornton, now undertook to secure a report on the conditions existing in the bi-lingual schools whose general work had been vigorously criticized. It was not thought necessary to appoint a commission. The general situation was fairly well known. Some two years before Doctor Thornton came into office the ground had been pretty well covered in a series of sixty-five able and sober articles appearing in the Winnipeg *Free Press*. But a review of the conditions existing in 1915 was deemed advisable before any new legislation should be introduced. The school inspectors were entrusted with this work, and their findings were embodied in a "Special Report on Bi-lingual Schools in Manitoba," issued by the Department of Education on February 1st, 1916. The report consists of a summary signed by Chas. K. Newcombe, the Superintendent of Education, and a transcript of the comment made by the

inspectors was also published. In the summary Mr. Newcombe says:

"There are altogether 126 French bi-lingual schools in operation, employing 234 teachers, with an enrolment of 7,393 pupils and an average attendance of 3,465.27 Sixty-one districts operate German bi-lingual schools. These employ 73 teachers, with an enrolment of 2,814 and an average attendance of 1,840.61. One hundred and eleven districts operate Ruthenian or Polish bi-lingual schools, employing 114 teachers, with an enrolment of 6,513 pupils and an average attendance of 3,884.96. Thus there are altogether 16,720 pupils in the three groups of bi-lingual schools, which means, roughly speaking, that of all children enrolled in Manitoba, one out of every six receives his education in a school of this type."

"Of the 126 French schools, 113 were visited and reported upon, all of the German districts were covered, and 79 of the 111 Ruthenian and Polish schools. Visits were made to 100 rural districts where non-English-speaking children were in attendance, but where the instruction was entirely in English. In 85 of these schools bi-lingual teaching might have been claimed, but was not. Reports were also given upon schools in the cities of Winnipeg, Portage la Prairie, Brandon and St. Boniface, where the language problem is in evidence."

Of the French schools it was reported: "The results of the investigation would seem to show that in one-roomed country schools of this group some progress has been made in the teaching of English, but the results are not as yet all that could be desired. In some cases the work in English has been neglected. In the primary rooms of most of the graded schools French is used almost entirely, and it is rarely that a pupil can understand English. In the intermediate rooms, say from Grades III to V, inclusive, the condition is often not a great deal better, save in some of the schools conducted by the teaching orders. In senior rooms the pupils can, as a rule, converse easily and fluently in English. If the pupils were able in all cases to complete the course as outlined for the eight grades, they would be able to use either language with a fair degree of skill. Of the thirty-one graded schools of this group examined during the past six weeks, the enrolment was as follows:

| Grade..... | I | II | III | IV | V | VI | VII | VIII | IX | X | XI |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Enrolled.. | 745 | 483 | 364 | 352 | 229 | 169 | 67 | 104 | 54 | 33 | 10 |

i.e., out of 2,610 pupils enrolled, only 437 were above Grade V. This would seem to point to the fact that to be really effective the teaching of English must be more strongly stressed in all the primary grades.

"The results of early and careful attention to the new language are very evident in the two bi-lingual schools in St. Boniface, the pupils of which are not included in the totals given above. These schools are both under the charge of teaching orders and are doing very efficient work. Not only are the pupils making good progress in the various subjects of the school programme, but they are, at a relatively early age, acquiring ease and fluency in the use of English. Boys and girls in the fourth and fifth grades, i.e., of ten and eleven years of age, speak the English language with readiness."

Of the public schools in the German districts it was reported that "the pupils speak English fairly well. This seems particularly true in the towns. English is the language of instruction, though the mother tongue is frequently used with beginners. On an average one hour a day is given to the teaching of German. Here, too, however, the tendency is to leave school at too early an age." It will be noted that only public schools are referred to; the numerous private schools were not visited by the inspectors. In these little or no instruction in English is given.

In the Polish and Ruthenian schools it was found that the knowledge of English varied

greatly, being determined by the attitude and ability of the teacher, the presence of English-speaking pupils in the school, and the distance of the school from English-speaking settlements. A remarkable situation was revealed in the classification of these Polish and Ruthenian schools visited. Of the 4,351 pupils enrolled, only ninety-seven were classified in Grade VI and higher grades. In Manitoba the Entrance examination is taken at the end of Grade VIII.

The investigation demonstrated the fact that many districts had not availed themselves of the bi-lingual privileges offered by the Act. Of these districts eighty-five were visited. "It is worthy of note," says the report, "that of these seventeen were schools in which bi-lingual teaching in two languages other than English might have been required. In these schools it was plainly evident that a condition of unstable equilibrium existed and English was the language of compromise. Of these eighty-five schools, thirty-seven were taught by teachers whose mother tongue is a language other than English." It was pointed out further that "in the rural districts visited were five schools where bi-lingual teaching might have been demanded in three languages other than English. . . In 110 schools where there are ten or more children of one non-Eng-

lish group, there are also in attendance minorities speaking other tongues which for the time being have not the necessary ten children to make good their claim. In a district where these conditions obtain, the arrival or departure of a single family may alter the situation at any time and deprive the majority of its precarious privilege. . . . The administrative difficulties arising out of this situation are obvious."

The reports of the inspectors on individual schools need not be reproduced. Those on the French bi-lingual schools are generally unfavorable, and the same thing is true of the Polish and Ruthenian bi-lingual schools, while the words "very well," "very well, indeed," "fluently," appear quite frequently in the descriptions of those among the Germans. The one-roomed country schools in the French settlements almost without exception are described as very weak in English. On the other hand, in St. Boniface both the Provencher School for boys and the St. Joseph's Academy for girls were regarded as doing satisfactory work. Of the former Mr. Newcombe says: "In Grade I the pupils answered simple questions, such as, 'What is your name?' 'Where do you live?' 'How old are you?' readily enough. The pupils of Grade II are slowly gathering an English vocabulary. In

Grade III children, for the most part, are able to express themselves in English. Grade IV. Those in this class are able to speak English readily. In Grade V an English teacher has charge during half the day. The children here converse readily and fluently. The Entrance class will write the whole examination in English. About thirty pupils take this examination every year." It may be noted that attending this school were 480 French, 95 English, 98 Belgians, 12 Ruthenians, and 3 Poles.

A significant comparison may be made between the reports of the two schools named Laurier 882. One of them is included among the bi-lingual schools, while the other is among the English schools which could have demanded bi-lingual teaching but did not do so. Of the former school, with its seventeen French pupils and three English pupils, Mr. Hunter reports: "In Grade I the teaching of English has not been attempted. In Grade II the pupils were able to read a little, but had hardly any knowledge of the subject matter read. In Grades III and IV progress is shown, but pupils converse neither easily nor fluently." Of the other school, with twenty-seven French pupils and thirteen English pupils, Mr. Hunter says: "Excellent progress is being made in English. The pupils in the higher grades converse quite fluently. This

school has an Entrance class of four, and a high standard of efficiency has been reached." The second Laurier 882 had transferred from the bi-lingual class to the purely English class two years previously.

In many of the country schools the population is quite composite. For example, in Kelner No. 1286, forty children are classed as Poles, thirty-one as Ruthenians and fifteen as Finlanders. Of this school Mr. Dickson says: "The majority can carry on a conversation in English, but in an imperfect manner. A section of this school board demands that the teacher teach a foreign language, threatening him with dismissal if he refuses." In the cities, also, the racial complexion of some of the schools is decidedly varied. For instance, in the Strathcona School in Winnipeg there were 565 Jews, 296 Germans, 147 Ruthenians, 104 English, 91 Poles, 27 Russians, and five other nationalities, each represented by a few pupils. In such schools no attempt is made to teach any other language than English, with the result that in a very short time the pupils pick up an English vocabulary.

Miss Frances L. Ormond, of Portage la Prairie, in whose room were fifty-seven beginners, only three of whom spoke English as their native tongue, reported that "Those who have attended regularly from Easter" (that

is for about six months) "can now form sentences correctly and readily." In Miss Muriel Ireland's room, Grade VI, in the same school, there were twenty-three English-speaking children, eleven Ruthenians and one French pupil. The Ruthenian pupils were at the head of the class each month. The North Ward school at Portage la Prairie, in which Miss Ormond and Miss Ireland were teaching, is almost as much isolated as any rural district. Here are Ruthenian children of six and seven who have scarcely heard a word of English before entering school.

With the knowledge of the facts revealed by this inspection to enlighten him, and the records of the Department, as well as an aroused public conscience to support him, the Hon. Doctor Thornton delivered his memorable address in the Legislature on January 12th, 1916. The speech was distinguished by its freedom from rhetoric and by its wealth of facts presented with lucidity and conviction. Example was piled on example to show the strife resulting in school districts by reason of the bi-lingual clause in the Act, and the injustice to those, sometimes English, sometimes French or Polish or Swedish, who might find themselves in a minority and be compelled either to have their children learn a second language, in which they had no interest, or to go

to the expense of sending them elsewhere to school. After discussing the inadequacy of the bi-lingual certificates given to the teachers and the question as to the necessity of bi-lingual teaching, Doctor Thornton summed up his conclusions in words which should here be reproduced:

"These are the results obtained in about twenty years after the passing of this clause, and barely ten years after it has been in active operation. The condition is becoming more aggravated, and will continue to do so as long as the clause stands in the Act as a weapon by which reactionary forces can urge their demands. There should be one common school teaching the things which are common to all, and leaving to individual effort those matters which are of private concern. There should be one standard of teacher eligible to teach in all the schools of the province. There should be a normal training to which all teachers should measure up. There should be a school inspector eligible to inspect every school under the government. That is the ideal which, during all these years, seems to have been lost sight of. It will take many a long year to undo present conditions. The transition towards new conditions must of necessity be accomplished gradually, but we can set our

faces in the right direction, and patiently, steadily and considerately travel toward the goal.

"It is necessary to deal with this law, both in our own interests and in the interests of those who have come to make their home with us with the purpose of becoming a part of this nation. The first essential to individual progress in any land is to know the language of the country. In an English-speaking country, as this is, a knowledge of English is more necessary than a knowledge of arithmetic. No matter what a man's attainments may be, the doors of opportunity are closed to him if he has not a knowledge of English, the common tongue. The teachers of non-English birth, many of whom have been bravely and conscientiously contending against adverse conditions will, with better educational standing, no longer be stamped sectionally, but will have a wider opportunity and a broader field in which to labor.

"A grave injustice is being done to the children who do not receive a satisfactory education in English. Without that knowledge they grow up under a continuous handicap. We wish to give them the same consideration as is accorded to our own children to fit them to earn their way through life, and to take places as citizens in our Canadian nationality.

"This question must be dealt with looking *forward,* not backward. Each generation must take its responsibility and act in the spirit of its own times, yet ever watchful of the result to succeeding generations. We are building to-day for the Canada of to-morrow, and our common school is one of the most important factors in the work."

The 1916 session of the Manitoba Legislature witnessed an avalanche of legislation, but no changes were more important than those made in the school law. At last parents were compelled by law to send children between the ages of seven and fourteen to the public schools, or see to it that their education was provided for elsewhere in a satisfactory manner. This provision separated Manitoba from its unenviable association with Quebec as the only Provinces in the Dominion without compulsory attendance laws. But more momentous even than this change was the removal from the statutes of the famous clause 258. This change left Manitoba, like New Brunswick, Prince Edward Island and British Columbia, without any provision as to language in the schools. The clause was simply removed; nothing was inserted in its stead. It was urged in some quarters that some new provision should have been added, such, for example, as that another language might be taught for an hour

a day. But the Minister had succeeded in convincing the House that the average child had quite enough to learn in school hours without being compelled to learn a second language.

Certain administrative changes, in addition to the Minister's words, served to show the object desired by the repeal of clause 258. The Province was redivided into twenty-five inspectoral divisions. The inspector assigned to each division was given charge of the inspection of all the schools in his district. Hitherto the three French inspectors had the French schools divided among them and inspected only French schools. Now two of these inspectors are retained and given charge of all schools in their respective districts, whether formerly English or French. Similarly, certain of the schools, formerly French, fall under the supervision of English inspectors.

Again the Normal School previously held at Morden for the Mennonites is now merged with the public Normal School at Manitou, where two teachers are now employed. The Normal School at St. Boniface is now taught by the regular staff of the Winnipeg Normal School instead of by one of the French inspectors, as formerly. At this school about half the teachers in training are French-speaking. The Ruthenian and Polish training schools have been disbanded and the students are boarded

in groups of two or three in homes and receive their education in the Collegiate Institutes. Instead of being allowed to take their Normal training when they reach Grade IX, as heretofore, they are required to reach Grade X at least. Thus their training has been put on an equal footing with that of other teachers. Fifteen of the boys who had left the Brandon Training School and were engaged in teaching have returned to high school at the invitation of the Department in order to bring themselves up to Grade X or Grade XI, as the case may be. The government is paying their tuition fee and, besides, crediting one hundred dollars against their indebtedness to the Department. It is proposed to continue this practice till all the teachers have reached a satisfactory standard.

From the above change it will be noted that the new administration is inclined to lay the emphasis on what is really the crucial point—the proper training of teachers. To this end another modification has been introduced. Formerly a candidate for the various high school examinations might substitute French history, literature and composition for English history, literature and composition. The result was a serious neglect of the English subjects and the frequent inability on the part of the teacher to give adequate instruction in

these subjects. It is now provided that French (or German in the case of Mennonite teachers) may be substituted for mathematics, so that all teachers receiving certificates in the future will be required to measure up to the same standard of knowledge in English. They may fail to know just why any two sides of a triangle are greater than a third, but they must know something of the contribution to the world of the great English writers and statesmen. Any teacher who holds a temporary certificate granted under the old regulations, on the expiration of his permit will be required to bring his certificate up to the general level, in case he wishes to continue to teach.

The direction and purpose of these changes in the school law and in administration are unmistakable. The new government has definitely set itself to the task of making English a language common to all the varied elements of the population. The school is to be the instrument employed in achieving this end. Outside the school no attempt will be made to prescribe the use or teaching of other languages, but within the school English is supreme. Encouragement and assistance will be given to young men and women whose native speech is not English, in order that they may prepare themselves to teach among their own

people, but they will not be admitted into these schools until their training has made them competent to teach in other elementary schools. Common ideals are to be inculcated by efficient teachers.

There is something very clear-cut and business-like about all this, an air indeed of finality. But there is another note. It was sounded at the conclusion of the very brief address of Doctor Thornton on moving the second reading of the bill providing for the repeal of section 258.

"While we have decided on this course of action, we do not deny the educational and cultural value of other languages. Under what circumstances and to what extent, if any, provision might be made for the teaching of a second language as one of the subjects in the course of studies is a matter for further consideration.

"This, and other questions arising from the repeal of this clause, will have to be dealt with by administration, in which the Department may need special advice and assistance. It will be the aim of the Department to deal with the situations which arise moderately and considerately, having ever in mind the maintaining of Canadian schools for the people of Canada."

In Manitoba the French question meets the Ukrainian question and the Mennonite question. The Red River valley is the cockpit of the whole language controversy. The new administration has faced the facts and adopted a policy of "thorough." There is just one note on interrogation. The results will be watched with keen interest by the other provinces.

## CHAPTER V.

### *ALBERTA AND SASKATCHEWAN.*

THE new Provinces of Alberta and Saskatchewan, organized as they were in 1905, had in one respect a distinct advantage over the original provinces of Canada, and also over their neighbors, Manitoba and British Columbia, which entered Confederation, respectively, in 1870 and 1871. By the intervening generation many mistakes had been made and much had been learned as to the best means of adjusting the proper functions of the Dominion and the provinces and of securing good government within the provinces themselves. Saskatchewan and Alberta were in a position to profit by these mistakes and this knowledge in the framing of the provincial Acts and in their administration. On the one hand, Manitoba had tried and abandoned separate schools, with the result that the powerful influence of St. Boniface was being exerted to prevent any acceptance of the arrangement as final. Parochial schools, so common in American cities, were being introduced in Winnipeg. Furthermore, bi-lingualism had been legalized, and racial division was being perpetuated in

the schools with the sacrifice of efficiency. On the other hand, British Columbia, with a population almost exclusively English-speaking, except for its troublesome Asiatic immigration, had never sanctioned religious teaching or a second language in its state schools. The results of extreme complexity and entire simplicity in the matter of language teaching in the schools were ready at hand for inspection, although the results in Manitoba were somewhat nearer because of the absence of a mountain barrier and the fact that the general movement of population was westward.

Consequently legislation in the matter of education was not with the new provinces a leap in the dark. In the first place it was decided to compromise in respect to religious teaching in the schools. Separate schools were permitted by law, but a degree of control was insisted upon which made them denominational public schools rather than separate schools. Religious instruction was confined to the last half hour of the day; uniform certificates were required of the teachers, while the Minister and Department were given full power to regulate the training and examination of the teachers; uniform inspection was established for Catholic and neutral schools alike; the authorization of text-books was wholly within the control of the Minister and Depart-

ment, so that the same text-books could be authorized for all schools. All that was involved in the granting of separate schools to Alberta and Saskatchewan was the recognition of the principle that wherever a minority of any religious persuasion, whether Catholic or Protestant, desired to have their children educated apart from the majority, so that they might be sure of having a teacher of their own faith and the privilege of spending the last half-hour of the day on religious instruction, or without it, this wish would not be denied them. As a matter of fact the number of separate school districts is very few. In Saskatchewan in 1916 there were fourteen Roman Catholic separate schools and three Protestant separate schools, as compared with 3,504 public schools. Furthermore, it has become the custom in certain cities and towns, where separate schools have been established, to adopt the same rate of assessment as that struck by the public school authorities, to co-operate in the matter of employing a truant officer and even to use the same promotion examinations from one grade to another. However strongly one may hold the view that it is better to have the children of all races and religions mingle in common schools, one must admit that the system of denominational schools as adopted in Saskat-

chewan and Alberta, if honestly administered, cannot materially impair educational efficiency.

In respect to language in the schools also, the framers of the provincial Acts of 1905 thought it advisable to compromise. No one thought of adopting the Manitoba bi-lingual clause. Already its evil effects had become apparent. They were probably less inevitable than contingent upon bad administration, but they were very real and formidable. On the contrary, the uni-lingual schools of British Columbia were felt to be hardly possible. In various parts of the new provinces were settlements which traced their origin to the French-speaking servants of the North-West Company, and others which were due to colonization from Quebec, and to repatriation of French-Canadians from the Eastern States. In the opinion of some Canadians of British origin, and many Canadians of French origin, the Quebec Act, in granting civil and religious liberty to the conquered, at the same time assured them free use of their language in the schools. This contention was not accepted by the new provinces, but in deference to it the following provision was inserted in the provincial statutes: "All schools shall be taught in the English language, but it shall be permissible for the board of any district to cause a primary course to be taught in the French language."

The provision was permissive, not mandatory, as was the bi-lingual clause in Manitoba, and was restricted to a primary course, whatever that might mean. Nothing was conceded to German or Ruthenian or Polish or any other of the score of languages spoken as their native tongue by sundry citizens of these cosmopolitan provinces. The French alone were granted legal consideration.

Starting with the same legislation, and with similar though not identical problems, Saskatchewan and Alberta have followed divergent courses, and in less than twelve years have arrived at positions somewhat widely separated This has been due mainly to the fact that in Alberta, to a much greater extent than in Saskatchewan, the right of the State to control the education of the child has been asserted. In this respect Alberta has departed from British precedent. In spite of considerable agitation in the British Isles the parent has always been conceded the right to have his child educated at home or in private schools of his own choosing, and government inspection has never been imposed on these private schools. Many of the private schools, it is true, have asked for inspection, in order to have the government seal on their efficiency, and this voluntary action on the part of private schools has been welcomed by the educational

authorities. But provided the parent is securing for his child an education with which he is satisfied the State has not ventured to interfere. This has also been the attitude of Saskatchewan, and a good deal can be said in its defence.

In view of the presence in Saskatchewan in 1905 of considerable Mennonite and Doukhobor colonies, it was especially difficult to compel attendance on the part of all children at public schools, and if any were excused all might claim the same privilege. The Mennonites in many cases had conscientious objections to attending public schools and, as was pointed out in the chapter on Manitoba, they had a promise from the Federal authorities which they interpreted as giving them the right to educate their children in their own schools as they might see fit without molestation. They were a sober, industrious and law-abiding people, and they objected to the public schools on religious grounds, because they thought such an education would incline their children to worldliness. The Doukhobors also had conscientious objections to our form of education, and they too had received certain promises from the Federal authorities as to the free exercise of their religion in Canada. They agreed with the Mennonites in their abhorrence of war and in their simplicity of life and

manners, but differed from them in the extent to which they were subject to their leaders. Peter Veregin, their present head, who follows in many respects the teachings of Tolstoi, regards schools as dangerous because they tend to seduce the people from the land to the cities, and in tilling the soil is happiness chiefly to be found. Moreover, he holds that the schools instil a spirit of individualism and competition which is contrary to the teachings of Jesus. As a matter of fact, few of the Doukhobor men and very few of the women can read and write. They are well versed in the Scriptures, and these are taught in the homes orally. In manual arts they show great proficiency. Even the most sceptical would be deeply impressed by the manner in which they have developed the valley in British Columbia where the Kootenay joins the Columbia, in the eight years since the greater part of the community shook the dust of Saskatchewan off their feet because the Hon. Frank Oliver sought to enforce the homesteading laws. But while versed in the Scriptures and skilled in the arts of husbandry and in engineering, they mistrust much book-learning. "For," as one of their leading men, himself fairly educated and capable of handling big business, remarked as the culminating point of his argument, "the

Germans are the best educated people in Europe."

Now what should the State do with such people as these whose religious views had alike the sanction of conscience and the Federal authorities? When they thought it best to do without day schools altogether or to have private schools in which no instruction whatever was given in English or other subjects which are generally thought essential to training for citizenship, could the State properly step in and compel them to abandon their principles, or else move on in search of some other country where liberty would be allowed them? Confronted with this problem, the Liberal Government of Saskatchewan could not bring itself to apply force. It adopted a waiting policy in the hope that time would solve the difficulty by altering the attitude of the dissentients. But the door once opened, the principle once conceded that the public and separate schools were not adequate to the needs of any of the non-English people of the province, the way was open for all to make claims for similar exemptions and privileges. As a matter of fact many German communities established private schools rather than public schools. Thus they were able to teach German as much as they liked in their schools and otherwise escape irksome regulations. Among

the French and the Ruthenians occasional recourse may have been had to private schools, but any defects in their schools are not due to their being outside State control so much as to the difficulty of making acknowledged State control effective.

In Alberta, on the contrary, private schools are practically non-existent. Neither the Doukhobors nor the conservative Mennonites settled in any considerable number in that province. It was not admitted that any settler in the province had any ground for refusing to support and send his children to the public schools, neutral or denominational. This principle now finds definite expression in the School Attendance Act. Clause 3 of this Act reads: "Every child who has attained the age of seven years and who has not yet attained the full age of fifteen years shall attend school for the full term during which the school of the district in which he resides is open each year, unless excused for the reasons hereinafter mentioned." Clause 5 gives these reasons as follows: "A parent or guardian or other person shall not be liable to any penalty imposed by this Act in respect of a child if—(*a*) In the opinion of a school inspector as certified in writing, bearing date within one year prior to the date of any complaint laid under this Act, the child is under efficient instruc-

tion at home or elsewhere." Five other grounds of exemption follow, but none of them affects the application of clause (*a*). Now clause (*a*), as administered by the very competent inspectors and schools attendance officers of the province, means simply this, that no private school can be operated unless it submits to annual inspection by a regular school inspector and convinces that official that it is doing work equal to that of the public schools.

The private school has not yet in Canada become the force, some would say the menace, that the parochial school has become in certain parts of the United States. The parochial school results from the non-sectarian character of all publicly supported schools. The dissentients, usually Roman Catholics and frequently foreigners speaking another language than English, segregate themselves in religious schools. They pay their taxes to the support of the public schools if they are property owners, while the parochial schools are supported by fees or from the wealth of some religious order, or by a combination of the two. In these schools the language taught depends upon the will of those supporting the school. Usually in the materialistic atmosphere of American cities the teaching of English is not subordinated to that of any other language, though frequently a second language is taught.

Now in Alberta the legislators have provided against the possibility of any serious danger from the parochial or private school. So long as the inspectoral staff of the Department remains efficient, and the Minister and House support the inspectors in enforcing the law, no inferior non-English schools can exist in that province.

The inspector is really a very important factor in the language situation. Some five years ago a request was preferred for a French-speaking inspector in Alberta. The request was granted since a man was found with the proper academic and professional attainments. The Department, however, did not at first place him in charge of the French schools, as the St. Jean Baptiste Society might have desired. The attitude was adopted that inspectors, like teachers, should be able to do service in any kind of schools. Mr. Le Blanc consequently was given an inspectorate in which there were only two or three French schools. Later he was transferred to a district with a considerable French population, and has proved a valuable servant of the public in general and not only to the French-speaking section of the public. Among his other duties he makes an annual visit to the Maritime Provinces with a view to getting acquainted with available bi-lingual teachers from New Brunswick and

Nova Scotia. It is interesting to note that he passes through Manitoba, Ontario and Quebec on the way, without turning aside to prospect in these rich fields. The Alberta Government considers the English-French certificates of these provinces quite too low. The Quebec bi-lingual certificate, corresponding to the second class certificate, is accepted, provided the candidates present themselves before Professor Dale, the head of the Department of Education in McGill University, and receive a certificate from him attesting their ability to teach through the medium of English. Since this arrangement was made, however, with Professor Dale the applications from Quebec for certificates have decreased almost to the vanishing point. The Acadian second class certificates are considered satisfactory, and a supply of qualified teachers from this source serves to supplement those prepared in Alberta itself. The Department is very reluctant to grant temporary certificates, and in this way the necessity of doing so is pretty well avoided. One difficulty arises from the fact that the Acadian teachers sometimes prefer the English school districts, and leave the French districts when an opportunity occurs.

It may prove instructive to consider what would happen in Alberta under the present law and administration in case a school

district predominantly French through its trustees should engage an unqualified French-speaking teacher from Manitoba or Ontario or Quebec. The case and its treatment are not entirely hypothetical. Miss X—, having the support of a certain religious order, applies for a permit and is refused, after her certificates have been examined. Nevertheless the trustees, professing inability to secure a qualified teacher, place her in charge of the school. In due course the inspector visits the school,—probably much later than he should, since the western provinces are not at all adequately provided with inspectors. He reports against her, but with the knowledge that he has a bi-lingual teacher in Nova Scotia on whom he can call in case of need. The trustees insist. He says that the government cannot possibly give the grant to a school which has not a qualified teacher. But the prospect of losing from $1.10 to $1.55 a day possibly may not be sufficient to impress the trustees with the necessity of obeying the law. The matter is then referred by the inspector to the Minister, and the Minister appoints the inspector or some one else Official Trustee to control the affairs of the section temporarily. The trustees and the people may then decide to throw over all government control and start a private school in which they can employ any per-

son they may choose as a teacher. But here again they find themselves in difficulty. Unless the private school employs a teacher capable of giving "efficient instruction," the parents are liable to be fined or imprisoned or bound over to keep the peace. And the onus of proof that the private school is efficient rests with those responsible for the school. The inspector is the only person who can pronounce it such. They must secure his sanction.

It is thus apparent that the law, if properly administered, leaves no loophole to the individual parent, or to any group of parents, who may desire to evade the necessity of securing thoroughly qualified teachers for their children. The general opinion is that the law is just, and the administration firm yet sympathetic. The French seem contented enough. They wish good English instruction, and generally they get it from teachers whose sound training in English is attested. They are anxious to learn their own language as well, and are allowed an hour a day for that purpose under teachers whose native tongue is French. While some French parents are content with teachers purely English, and this is frequently true of those who have spent some years in the United States, the desire is general that French teachers should be sent them. The desire is natural, and could hardly be refused

by a government which is constantly expressing itself as favoring the making of the school a community centre. The important thing is the securing of competent bi-lingual teachers, and for the time being a satisfactory source of supply has been secured. Meanwhile others are being educated in the schools of the province, and all know that, if the supply of teachers is not maintained, no concessions in the matter of standard will be admitted.

But the French question is relatively unimportant in Saskatchewan and Alberta. Regarded in its wider political bearings the attitude there adopted towards the French language in the schools is not without significance. Still the French-speaking population is small as compared with that of certain other peoples who do not speak English as their native tongue. Numerically the Ruthenian problem is the greatest. As a matter of fact, however, the Ruthenian people, if left to themselves, show a readiness, somewhat too marked at times, to throw off the old and put on the new; one must admire a people which does not too easily break with its past. For some years these people, who came mostly from the Austrian provinces of Galicia and Bukovina, were left pretty much to themselves. The mere matter of earning money to get started on the land sufficiently occupied their attention. The

Ukrainian movement hardly touched them. Occasionally an enthusiastic nationalist would reach them with an appeal for a union of heart among the Ruthenian people the world over—a union looking to the freedom of the Ukraine from the divided domination of Austria and Russia. Scattered priests of their own faith occasionally ministered to them. The Presbyterian Church of Canada, seeing that they were Greek Catholics or Uniats rather than Roman Catholics, sent missionaries among them to found schools and hospitals as well as to preach the gospel. But as the Ukrainian movement gained strength in the United States it spread through the cities of the West and less fervently across the farms. Presently a bishop came to superintend their spiritual instruction. In his first pastoral letter Bishop Budka made it plain that he regarded his spiritual duties through the eyes of a nationalist. "But let us be proud of our faith," he said. "It will suffice for us; and let us labor to acquire our own schools at whatever price."

The largest solidly Ruthenian colony in the West was situated north and east of Edmonton. In 1907 it was estimated that it contained fifteen thousand souls. The very next year after the organization of the Province of Alberta the Department of Education set itself resolutely to the task of establishing

schools in this colony. It was realized that the ordinary agencies would hardly serve to overtake a work of such magnitude. Definite action on the part of the central authorities was necessary. In the 1907 report of Mr. D. S. MacKenzie, the Deputy Minister, whose experience, gained in a similar capacity in the Department of Education for the old territorial government, suggesting the course to be taken, the following paragraph appears: "Mr. Robert Fletcher, with headquarters at Wostok, devotes his whole time to the work, giving every possible assistance to the non-English settlers in the establishment of school districts, the erection of schools, the employment of teachers, as well as routine work connected with the levying of taxes. When desirable he acts as Official Trustee, performing the duties of a school board and its officers; in other cases he exercises an oversight of the work of the respective districts until such time as the elective boards are able to administer the affairs of these districts in accordance with the School Ordinance and Departmental Regulations."

Mr. Fletcher's duties were no sinecure. In addition to the discomforts of travel in a new district inhabited by people recently arrived from Austria, most of whom were in very poor circumstances, he frequently encountered the

suspicion and occasionally the defiance and hostility of those whom he wished to help. But Mr. Fletcher brought to his work singleness of purpose, rare tact, and courage. He was soon able to report, "I find that whereas I was looked upon as an intruder at first, it is no uncommon thing now for a Ruthenian secretary to ask me to look over his books or for a Ruthenian board of trustees to ask me to settle some dispute in the district or render some other assistance." By 1910 the work of organizing schools in the colony was nearly completed, and in the 1912 report Mr. Fletcher says, "There are ninety school districts organized in the colony. A large majority of these have only Ruthenian ratepayers, while a majority of the ratepayers in the remaining districts are Ruthenians." Yet even now in all Alberta there are only some half dozen Ruthenian teachers. The other schools in Ruthenian districts are conducted either as summer schools by young men, mostly from the universities, or are kept open through the whole year with regularly qualified English-speaking teachers in charge. And no particular discontent is displayed by these people because they have not been given what Bishop Budka once demanded should be given them at whatever price. The results of an election in this colony may be taken as evidence on this point.

In a riding perhaps ninety per cent. Ruthenian the editor of a newspaper devoted to the Ukrainian propaganda was decisively beaten by another Ruthenian who favored the government's policy.

But this has not been accomplished without effort and diligence. In 1913 Mr. Fletcher reported that, "Early in the year the Ruthenian schools were raided by would-be teachers from Manitoba and Saskatchewan." He pointed out that many of these young men had a very indifferent education, and that some of them could barely make themselves understood in English. He instanced a case where one of them appealed for an interpreter in a court of law, and made a very sorry spectacle of himself when the magistrate, learning that he had been a teacher in a rural school, refused the request. Another case is instanced where Mr. Fletcher visited a school and requested the trustees to dismiss the unqualified Ruthenian teacher whom they had engaged. The teacher forcibly protested that the government was requesting his dismissal because they were suspicious that he was teaching Ruthenian, whereas he was really teaching only English. A few minutes afterwards Mr. Fletcher happened to say to a little Ruthenian girl of twelve, "Annie, you speak very good English," and received the prompt reply, "I have for-

gotten some; our present teacher does not speak English." At this time the legislature introduced an amendment to the School Act to the effect that "Any person other than the holder of such certificate who undertakes to conduct a school as teacher shall be guilty of an offence, and, on summary conviction, liable to a penalty not exceeding fifty dollars, and in default to imprisonment for a term not exceeding one month."

Mr. Fletcher thus summarizes the troubles arising from this invasion by unqualified teachers: "Despite the fact that an organized attempt has been made to agitate these people, that they received sympathy and the promise of financial assistance from the agitators, and that the prospect of success in their struggle with the government was constantly held out before them, in fairness to the Ruthenians it should be mentioned that only twenty school districts out of about one hundred and twenty whose ratepayers are chiefly Ruthenian made any trouble, and there was no small element even in these twenty school districts averse to the conduct of the belligerents."

But it was not the policy of the administration to force English schools on the Ruthenians without encouraging young Ruthenians to prepare themselves to teach in them. The ordinary, primary and secondary schools of the

province were open to them, and in addition a special school was opened at Vegreville in 1912 under the charge of Mr. W. A. Stickle, a university graduate and a teacher of long and successful experience in Ontario and Alberta. Mr. J. T. Ross, Chief Inspector of Schools, in his 1913 report, describes the purpose of the school and a nasty incident originating from some Manitoba agitators who had gained admission to the school.

"This school was opened with the purpose of giving all who were unacquainted with the English language the opportunity of acquiring an education in our language and taking their place in the activities of the province that their natural abilities fitted them to fill. A number of these students received the impression that they would be granted teachers' certificates or permits to teach after attending this school for one or two years. They were greatly disappointed when they learned that there is only one standard for teachers in Alberta and that all students desiring to become teachers are required to pass the departmental examinations and complete their course of training at the Provincial Normal School. They had the opinion that they could teach among their own people as soon as they had acquired a smattering of the English language."

Without recalling the details of the events connected with the strike of December 8th, 1912, it may simply be said that the commissioners appointed to investigate the case, Mr. Ross and Inspector LeBlanc, placed the blame on three ringleaders, who forthwith were expelled from the school. Since then no trouble has arisen and each year a full complement of students is in attendance, but most of those trained in the school go into business or another profession than teaching. However, the school serves as an answer to those who might ask, "Why don't you give us our own teachers?" The answer is, "We are prepared to give you your own teachers. You have free admission to the elementary and high schools. Since older pupils may find it difficult to fit into the ordinary school life, we have provided a school for these older pupils. But we cannot lower the standard of entrance to the teaching profession. The importance of the work demands that those who enter it shall be thoroughly prepared. And the Ruthenian people, if any, have the native ability and application which render it possible to reach that standard." The eager resolution of a young man from this school who visited the Department in the summer of 1916 to get his marks on the Grade X examination may serve as an illustration. Two years before he had

entered the school with no knowledge of English. He had worked so assiduously—too assiduously indeed to judge by his appearance—that he was able to present himself for the Grade X examination in two years. He had failed by one mark in English literature and a few marks on the total. He was told, to his evident delight, that he would be allowed to continue and to attempt the Grade XI examination the following year, and that this would be a much easier task for him than had been his work in either of the two previous years.

The number of Ruthenians in Saskatchewan is estimated at about sixty thousand. The population of Saskatchewan is rural more than that of any other portion of the Dominion, and undoubtedly the greater part of its Ruthenian population is busied with the task of turning the wilderness into wheat fields. So rapid has been the development of the province that it has been exceedingly difficult to provide schools for the people. Between 1906 and 1911, for instance, new school districts were being organized at the average rate of two hundred and sixty-five a year. The Department of Education did not feel itself able rigorously to exact a uniform standard. In the Ruthenian schools the proximity of Manitoba served to complicate the situation and render it more difficult. But in general policy the

Departments of Alberta and Saskatchewan, though starting with the same law, moved in somewhat different directions. The Official Trustee is unknown in Saskatchewan; in Alberta, and now in Manitoba, he is the key to the situation. The local school boards asked for Ruthenian teachers in Saskatchewan, and received them. An effort was made, and with some success, to prepare these teachers. A special training school was established for them at Regina under the supervision of two inspectors of the Department. Three school organizers of Ruthenian speech are now employed in bringing teachers and pupils together.

The attitude of the Saskatchewan Government has not escaped criticism. In his pamphlet on the country school in non-English-speaking communities in Saskatchewan, published in the autumn of 1915, Principal Oliver said of the Ruthenian teachers: "About four in all have second class non-professional certificates, and only two have professional certificates. During the last three years there has been a distinct improvement in the use of the English language as a means of teaching English in the primary grades. But a considerable number, say from one-fifth to one-fourth, use Ruthenian as a means of teaching English in the primary grades. And gener-

ally Ruthenian is taught the last period of the school day, though the law at present makes no provision for such instruction. . . . About eight thousand are in our schools. It would be desirable to have the teacher in every Ruthenian school thoroughly Canadian. That may not be possible. But have we not the duty at this juncture to consider the wisdom or unwisdom of the policy of a separate training school or course for Ruthenian teachers and the rather generous granting of provisional permits? Let every Ruthenian who has taken our regular course in our regular public and high schools and is duly qualified have the amplest opportunity to teach. But I insist we cannot afford to have short-cuts and special devices open to the non-English, and I say this in the interests and for the sake of the non-English."

In the Saskatoon *Star* an energetic campaign was conducted against the policy of the government in respect to schools among the Ruthenians. In the issue of May the 4th, 1916, among other charges it was alleged that in over forty public schools of Saskatchewan Ruthenian was the medium for teaching, and that the low educational standard of the teachers in these schools presented a great danger. Mr. Joseph Megas, one of the Ruthenian school organizers, a man of good general

education and a creditable English style, undertook to reply to these strictures, and failing to find space in the *Star,* published in the Saskatoon *Phoenix* of May 27th an exhaustive account of Ruthenians in general and Ruthenian schools in particular. In the course of his letter he says of the statement that Ruthenian is used as a medium of instruction: "The above statement in the *Star* is absolutely false, and I challenge that paper to name at least one of the two hundred and fifty schools among the Ruthenians in Saskatchewan where Ruthenian is the language of instruction between the hours of nine and three." With reference to the Ruthenian teachers he says: "During the past couple of years there have been over one hundred and thirty teachers of Ruthenian nationality teaching in the province, and of this number one holds a first class professional certificate, six are university graduates, fifteen hold third class certificates, ten second class diplomas, sixty are students at the government training school at Regina prepared especially for the teaching profession. The small balance is teaching on provisional certificates issued by the Department of Education for a period varying from six to eight months on the strength of the previous training or academic standing of the teacher obtained elsewhere than in Canada,

but such permits are granted only on the condition that the holder thereof will attend the next Normal session, or forfeit his privilege to teach." Another statement of the *Star* anent "the practice of the Ruthenian settlements to de-organize public school districts and to establish in their place private schools" is declared to be absolutely false. "I challenge the *Star,*" says Mr. Megas, "to name one instance where in a Ruthenian settlement a public school has been converted into a private school. As a matter of fact there is not one separate or private Ruthenian school in Saskatchewan, although over seventy per cent. of the Ruthenians are Greek Catholics."

Saskatchewan, then, as distinct from Alberta, has adopted a policy of making haste slowly. It has been contended that better results in the end will be secured if the consent of the people concerned—that is, each section concerned—is secured with each step in the progress towards satisfactory conditions. The criticism recently levelled against this policy may be increased now that the Liberals of Manitoba have joined the Liberals of Alberta in renouncing the Liberalism of the Manchester School for that of Mr. Lloyd George.

## CHAPTER VI.

### *CONCLUSION.*

SINCE the earlier chapters were written two events of considerable importance in the history of the bi-lingual question in Ontario have occurred. The papal encyclical,* asking for peace and harmony within the Church between its French and English-speaking members, has been followed within a few days by the decision of the Privy Council on the Ottawa School Case. As a result the air has been considerably cleared. A solution of the whole difficulty is now appreciably easier. The legal aspect of the question will no longer serve to obscure, at any rate to the same extent, the vital issues, which are moral and educational. The fact that Regulation 17 has been pronounced *intra vires* does not necessarily mean that it is altogether wise or that it will be easy to enforce. Indeed their Lordships specifically comment on one defect and say: "Unfortunately it is couched in obscure language, and it is not easy to ascertain its true effect." But in the future no one can venture to interfere with the enforcement of this or any clearer or better provision which aims to regulate the teaching

* See Appendix III.

of language in the schools of Ontario. The right of the provinces to legislate in respect of language in the schools as each thinks best is now definitely established.

The second part of the appeal, that concerned with the legality of the commission appointed to take over the duties of the rebellious Ottawa School Board, has been decided against the Ontario Government. This finding is not of slight importance. It apparently means that Ontario cannot legally have recourse to the expedient which has proved so useful in Alberta and which now has been adopted by Manitoba. In these provinces an Official Trustee can be appointed at the pleasure of the Minister of Education to assume the work of the elected trustees in any schools district. This has served to secure the enforcement of the school law without delay in districts where the duly elected officials have proved unequal to their task. In Ontario some other means of dealing with inefficient or recalcitrant school boards must be found, and it will be difficult to discover one equally prompt and effective.

The pronouncement of His Holiness is of interest to the public chiefly by reason of one paragraph which merits careful study. "Nobody can deny that the civil Government of Ontario has the right to exact that children

shall learn English in the schools; and likewise that the Catholics of Ontario legitimately require that it shall be perfectly taught in order that their sons should be placed on the same level in this respect with non-Catholic children who frequent the neutral schools, and that they should not be eventually less fitted for the higher schools or be disqualified for civil employments. Nor, on the other hand, is there any reason to contest the right of French-Canadians living in the province to claim, in a suitable way, however, that French should be taught in schools attended by a certain number of their children; nor are they indeed to be blamed for upholding what is so dear to them."

This means that the official attitude of the Roman Catholic Church is in accordance with the moderate non-Catholic opinion of the province. The government can exact the study of English, as indeed it has been doing ostensibly for twenty-five years, while the French can reasonably claim the right to the study of their native tongue. They cannot demand or exact; they can simply claim "in a suitable way." It may be inferred, perhaps, that the Ottawa strike is not considered a suitable way of urging such a claim. Then it is admitted that English should be taught perfectly. "The reason given is significant. Catholic children

must not be "eventually less fitted for the higher schools or disqualified for civil employment." If this means that the influence of the Church is to be placed behind preparation for the entrance examination to high schools and subsequently for the regular examinations for teachers' certificates, and that is a natural inference, it is hard to estimate what a revolution is possible, and within reach, in the French communities of Ontario. If half the energy and money expended on fighting for chimerical French rights had been directed towards the training of teachers truly bi-lingual our troubles would have sensibly decreased or, indeed, it may be, entirely vanished.

A very real danger to our national well-being arises when education amongst any section of the people tends to move in a circle. In proportion as any group from racial or religious motives isolates itself, misunderstandings arise and harden into prejudices which render political thinking bitter as well as narrow. On the other hand, where the various groups commingle, as each comes better to know the others, causes of difference are less likely to arise, or having arisen are less likely to persist and be intensified. It is a misfortune for the French themselves, it is a misfortune for the Canadian people as a whole, that the French child in Ontario and Manitoba has

been able to complete his course in our elementary schools, without having been brought into intimate touch with the broader currents of Canadian life. His teacher is likely to be a young lady who, even if trained within the province, has spent her school days with French-speaking companions under a French-speaking teacher; who has received her secondary school training in a convent school predominantly French; who has acquired professional training in the familiar environment of an English-French Model School; and who finally each year is visited by a French inspector whose outlook may be circumscribed by his race and training. No one can object to a Canadian of French origin being selected as inspector, nor to any number of Canadians of French origin being accepted as teachers if they are properly qualified. But one cannot fail to realize the unwisdom of continuing indefinitely a policy which tends so completely to separate the education of the French-speaking citizens of the province at every stage from that of the English-speaking majority.

Something has been accomplished in Ontario by the double inspection provided for in the schools which come under the operation of Regulation 17. They are visited by an English-speaking inspector as well as a French-speaking inspector. More will be accomplished

when inspectors have alike the time and the ideals which will enable them to make their duties less inquisitorial than inspirational. The English ideal is expressed in the first instructions issued to inspectors in 1840, "Inspection was not intended as a means of exercising control but of affording assistance." It would never have been possible to induce such men as Matthew Arnold to give their life to such work had they been regarded as a species of itinerant detective operating under the direction of a super-detective with a stop-watch in his hand.

Something also has been accomplished in opening the English-French Model Schools. But much sounder training would be secured were English-speaking teachers instructed side by side with those of French speech. It is a wise and statesmanlike policy to insist that all teachers should undergo the same tests and be fitted to fill a position in any elementary school of the province. If any candidates for teachers' certificates have French or German, in addition to the regular requirements, so much the better. Certainly the knowledge of the additional language ought not to be an excuse for deficiency in other and necessary branches of information. Recent changes made in Manitoba in this regard would appear to be based on sound principles. The French and German

teachers now receive their professional training with other prospective teachers. The certificates granted will be valid in any public school in the province. Likewise the French-speaking inspectors have been given oversight over schools in English-speaking communities as well as in those of their own race, and similarly with English-speaking inspectors. One phrase of the papal encyclical would seem to indicate that His Holiness contemplates the association of French and English in the high schools and in the teaching profession on equal terms. English is to be perfectly taught to Catholics "that they should not be eventually less fitted for the higher schools or be disqualified for civil employments." If it is a misfortune to have a separate school system in Ontario, if it is to be regretted that in their childhood all our citizens of the future cannot receive their instruction in the elements of language and mathematics and science together in the same schools, it would be little less than a calamity if a separate school system based on distinctions of race and language should be allowed to develop within a separate school system based on religious difference.

But is uniformity entirely desirable? Is it well that all should be cast in the same mould? A system of education may be too rigorous. Centralization may be carried to a point

where it deadens enthusiasm and discourages initiative. But in a new country like Canada, whose paramount problem is the fusion of the races, it is doubtful if any provincial government, dependent as it is on the suffrages of the people affected, is likely long to err in the direction of over-centralization with impunity. It is significant that "the story of English education during the nineteenth century is one of increasing government control," to quote the opening words of Doctors Kandel and Sandiford in their forthcoming work, "Educational Administration in England." In Canada perhaps sufficient deference is shown to local feeling in allowing the locally elected trustees to select, dismiss and reward their teachers and provide, with more or less assistance, the school buildings. It may be that greater latitude as to curriculum could with advantage be permitted the individual school than is now granted in some provinces, but it would be a serious error to allow wider choice in the matter of teachers than at present is allowed. Here at least the practice of Alberta and British Columbia may well be regarded as safer than a policy which, in order to satisfy the demands of this or that section, continues to allow short-cuts to the profession which forms the most important branch of the civil service.

Indeed, the securing of suitable persons as teachers and their proper training is in some respects the real key to the situation. Some six hundred bi-lingual teachers would be required for the English-French schools of Ontario; perhaps four hundred for the French settlements of the West. At no time has the supply been at all adequate to the demand. The result has been that teachers half trained either in the provinces themselves or in Quebec have been admitted to the schools. In all these provinces attempts have been made, and in Alberta with considerable success, to remedy the situation; but investigation, where it has taken place, has served to reveal fairly general inefficiency in these schools as regards the teaching of English as well as other subjects. Manitoba has called a halt and is now demanding a uniform standard for all teachers, except that French or German may be substituted for a certain part of the mathematics. Those already teaching on permits are being encouraged to bring their qualifications up to this standard. It would appear that this is the only safe policy in view of the experience of the past. In Ontario at the present time probably somewhat less than ten per cent. of the teachers in English-French schools hold second class certificates, and thus ninety per cent. have not reached the standard which is regarded as a

minimum in all urban and most rural districts of English-speaking Canada. In default of recent statistics one cannot be more definite. In schools where two languages are to be used it is altogether essential that teachers be thoroughly prepared for their difficult work. The regular second class certificate should be demanded, with some allowance possibly for the second language, preferably not by way of bonus, but as a substitute for one or more of the multitudinous subjects required. Suddenly to enforce such a provision might prove a hardship. A period of five years might be given those interested in the retention of French in the schools in which to secure a sufficient number of bi-lingual teachers well educated in all branches of study.

In Ontario it might serve a good purpose if the Premier of the Province, in company with the Minister of Education, members of Parliament of both parties and leading educationalists of both French and English speech could meet a convention of Ontario French and canvass the whole situation. A statement from the Premier that some definite steps ought to be taken if "these two requirements are to be met, namely, a thorough knowledge of English and an equitable teaching of French for French-Canadian children" (to use the Pope's phrasing); an engagement that no attempt

would be made to deny French children one hour each day for the study of their language in case qualified French-speaking teachers could be secured to give such instruction; a statement that five years would be given in which a sufficient body of teachers might be prepared, and that meanwhile the study of French would be emphasized in the high schools and universities, so that if it should prove necessary to secure English-speaking teachers for these schools they would have also a very fair knowledge of French;—such a proposition frankly put forward by the Premier, with the concurrence of the Opposition, would go far to win the consent of those affected and bring order and peace out of chaos and strife. In view of the attitude of the Opposition toward Regulation 17 and the Ontario Temperance Act now in force, there is little reason to suppose that an invitation to co-operate would be refused. Nor is it improbable that the hearty consent of the French people could be secured to a provision which allowed only an hour a day for their native tongue, since it could be pointed out that the church and the home are always assisting in instruction in the vernacular, whereas English has to depend largely or solely on the school.

Then Regulation 17 might be revised and simplified, the original Regulation 12 being

incorporated and rendered entirely consistent with it. Now that the competence of the Legislature to pass the regulation has been established beyond peradventure, less hesitation would naturally be felt in amending it. An English-French school might be defined simply as one in respect of which the parents of the majority of the children in attendance request that French be taught as well as English. With the co-operation of the trustees enlisted and the capacity of the teacher ensured, it would hardly be necessary to make nice distinctions between the use of French as a medium of instruction and French as a language of study. English would be used as the language of instruction almost, if not quite, from the beginning of the child's school life. Nothing need be forbidden the teacher, who would be well versed in the direct method of teaching a language from his thorough professional training. He could be trusted to apply the best method in the best way, and his success could be judged by the results. The provision that French may be taught for one hour a day, or for a longer time if the teacher wishes to extend the length of the school day, would be the main clause of the new regulation. It might be well to specify the last hour of the day as the time for French, for the convenience of such children as might not desire to

take it. The troublesome word "hitherto" might then be deleted, since no one would be particularly concerned as to how many schools which give efficient instruction in English and the other subjects might choose to teach French as well. Neither need the large discretionary powers of the Chief Inspector be specified, for the teacher would himself be a person of discretion and the state would be content to judge him by results. With mutual confidence restored and efficient teachers in charge, it would be smooth sailing.

In the case of many of the French sections, however, definite provision must be made for financial assistance. It will never be necessary to go quite so far as British Columbia frequently has gone in the case of assisted schools, where the whole salary of the teacher, never less than $720 a year, has been paid. But a rural school section with an assessment of $25,000 (a rumour exists that one French section has an assessment of only $8,000) cannot compete with a section with an assessment of $250,000 in the securing of teachers, yet good teachers are as important for the one as for the other. Special provision has already been made for weak sections in French districts, and financial aid must be generally and generously granted to backward school sections, whether French or English. There is an addi-

tional advantage in a large government grant, in that it can be used to encourage efficiency.

However, even with general agreement as to the necessity of every citizen of Canada having a knowledge of English—and here one may note the increasing attention given to English in Quebec, and an opinion recently given by a prominent citizen of Quebec City that within twenty-five years fully eighty per cent. of the French people of that province would know English—even with agreement on this point there has been a marked difference of opinion as to the best method of teaching English to those whose native tongue is not English, as has already been shown. Thirty-one years ago the Legislature of Ontario passed a regulation which made the study of English obligatory throughout the whole school course for all children in the public schools. Five years later, after the situation in French districts had been investigated by competent commissioners and the whole question had been discussed in the press and on the floor of the House, the people of Ontario, through their elected representatives, definitely decided that "it shall be the duty of the teacher to conduct every exercise and recitation from the text-books prescribed for the public schools in the English language, and all communication between teacher and pupil in regard to matters of discipline and in

the management of the school, except so far as this is impracticable by reason of the pupil not understanding English." Twenty-two years elapse. Three generations of children have left their desks to face the tasks of life and later the duties of citizenship. Yet, after a careful inspection of conditions, Doctor Merchant finds it necessary to admit that "there has developed a type of school in which French is employed in teaching all subjects except English (composition, grammar, reading and spelling). In these schools English is regarded simply as one subject among others in the course of study. Approximately eighty per cent. of the Roman Catholic separate schools in eastern Ontario and ninety per cent. of the public and rural Roman Catholic separate schools in the districts conform more or less completely to this type." His report furthermore affords indubitable proof of the fact that the great majority of the children in French districts were leaving school with an entirely inadequate training in English.

Two of the reasons for this failure have already been suggested. The principle was accepted that French-speaking children should have French-speaking teachers, since the trustees apparently wished it, although the supply of French-speaking teachers with respectable general education and acquaintance with Eng-

lish was always limited. Again, the great body of the French people in Ontario had never been brought to the point where they freely admitted the paramount importance of English in the schools, and unless the people affected are heart and head behind legislation in respect to language, enforcement is by no means easy, especially in a democracy where votes count.

A third reason has received in Ontario far less consideration than it deserves. It has to do with method.

If one wishes to learn most rapidly and effectively a kindred European language he leaves friends behind and immures himself for three months or six months or a year within a society which speaks nothing else but that language. For the time being he forgets his native speech, and in a foreign environment, with necessity to stimulate energy, he learns to think in the new language as well as to speak and read it. And even if it is desired at home to study a foreign language it will be found that educationalists generally are agreed that the direct method of study, even for adults, is decidedly more economical of time and effort than the indirect method of study. What is true of adults is doubly true of children. If required to do so they pick up a new language by the

direct method, that is, the method of nature, in a surprisingly short time.

The contrary view has found expression in Canada, that is, the opinion that the new language may best be taught through the medium of the old language. It was the view held in 1889 in Ontario by the French teachers of whom the commissioners reported: "Teachers claim that the French child learns to read English more readily after he has learned to read a little in his own language. . . . The method usually followed in teaching English to the French children is . . . by reading, spelling and translation. Scarcely any attention has been given to colloquial exercises or oral instruction in the junior classes." It is the view strongly urged to-day in the editorial columns of *Le Devoir,* and generally by the Nationalist press. In 1902 a special Nova Scotia commission, the majority of whose members were French, appointed to report on the means of improving conditions in French districts, expressed the opinion that "the general education of French-speaking pupils should be carried on concurrently with their acquisition of the use of English, and that this can be successfully accomplished only by the use of the vernacular." A similar opinion was expressed by Dr. G. W Parmalee, the English Secretary of the Department of Public Instruc-

tion of Quebec, in an address at the Imperial Education Conference of 1911. In November of that year the Toronto *News* expressed itself as belonging to the company of those who deny the possibility of purely English schools among the French. "But it may be said," the editorial runs, "that in French communities it is necessary to teach in French, because the children understand no other language. So far as the lower grades are concerned this undoubtedly is true. But within two years after the six-year-old child has started to school, when he has learned to read and write French, serious English instruction should be given. At the age of nine all teaching should be in English." And finally, in the following February, Doctor Merchant in his report declared that "the best results are obtained when the medium of instruction is in the beginning the mother tongue." In adopting this principle in framing Regulation 17, Ontario committed itself to a policy of continuing the method which had been employed for many years with results only rarely satisfactory.

Meanwhile, in every large city of the Dominion, hundreds of children, with practically no knowledge of English, every year were entering schools taught by teachers wholly unfamiliar with their language, and very soon were taking their places on an equal footing with Cana-

dian-born children. In scores of rural districts in the West, in environments solidly non-English, teachers familiar with modern methods of teaching a new language had been demonstrating year after year that it was not necessary to instruct through the vernacular of their pupils. The practically universal opinion of educationalists of the United States, in common with the general and official opinion throughout the Canadian West, is in direct contradiction to that accepted in Nova Scotia, Quebec and Ontario. An interesting feature of the discussion of this point in the 1916 session of the Manitoba House was the fact that two members, one of them a Minister of the Crown, rose in their places and testified to having taught English through English alone to non-English children. The position taken by Principal Sisler is typical of the West. Mr. Sisler has had thirteen years' experience in schools among the non-English, first in a Scandinavian settlement and now for some years in night-school work in the City of Winnipeg and as principal of the great Strathcona School, ninety-three per cent. of whose 1,200 children do not hear English at home. Furthermore, by investigation carried on during the summer, he has made himself a specialist on the whole question of method. Mr. Sisler

has earned the right to speak, and he speaks in no uncertain terms.

"When bi-lingual teaching was introduced in the Ruthenian and Polish settlements of Manitoba the reason assigned was that in order to learn English the child should do so through the medium of its mother tongue and that it should be taught by teachers speaking its own language.

"In the Winnipeg schools there are not less than six thousand school children of foreign parents. These have all learned, or are learning, English by the direct method—that is, by using pictures, familiar objects and actions, associating these with the spoken word and then relating it to the written or printed characters. This has been going on at a gradually increasing rate for twenty-five years, and foreign pupils have held their own with those of English-speaking parents. Not only has this been done in schools having a large proportion of English-speaking children, but also in those where the school population is almost entirely foreign. In visiting the Ruthenian settlements I have found that even where schools have been established for ten years or more, with bi-lingual teaching children are utterly unable to converse in English. One does not need to go far in order to find out the reason; the pupils

are learning to say the words in their reading books and have them explained in another language, with the result that they gain no facility in the use of English. In visiting the homes it is often found that the father is the only member of the family who can speak any English, and he has learned it while working in the city, or with farmers outside of his settlement. In some cases it is the young wife or an older daughter who has the best knowledge of English. This has been gained where the wife or daughter has been engaged in domestic service; that is, by the direct method of teaching in the most natural way. These women and girls have been in situations where it was necessary to speak the new language, and have quickly adapted themselves to it.

"My observations in many foreign settlements have led me to the conclusion that schools using the mother tongue as a medium for teaching a new language have utterly failed to give children a working knowledge of English."

Dr. Norman F. Black, of Regina, in his book, "English for the Non-English," has collected the views of a large number of educationalists of Canada and the United States on this point. His own conclusions, based on these views as

well as on his experience as a teacher and inspector, should carry great weight.

"In those localities that insist upon the teacher being able to speak the mother tongue of the beginners in English it takes as a rule fully twice as long for the pupils to acquire a working knowledge of English as it requires in numberless good schools conducted by teachers ignorant of the vernacular. From the standpoint of trustees or parents, therefore, in the selection of teachers, good scholarship, fluent and idiomatic English, thorough normal training, a natural gift for teaching and abundant sympathy, enthusiasm and adaptability, are infinitely more important than familiarity with the pupils' mother tongue.

"At the same time to the teacher who has sufficient wisdom and self-control never to use the vernacular in the schoolroom except as the lesser of two evils, a knowledge of the mother tongue has been shown to be of a value real even if very secondary.

"It is abundantly clear that the keynote of the correct teaching of English to beginners is the practically exclusive use of that language in the schoolroom, and that where this is not bringing the desired results the fault must be sought in the teacher's personal and professional qualifications. It is noteworthy that even in the province whence emanated the

ill-starred report first quoted in this chapter, the authorities have found it necessary to authorize for the general use and guidance of their teachers in non-English-speaking localities, 'The Berlitz System of Teaching English.' As everyone familiar with language teaching is, of course, well aware, an outstanding characteristic of this method is insistence upon the exclusive use of the language that is being taught."

It would be rash to contend that satisfactory results are quite impossible where children learn to read in their native language and use it as a medium through which to learn English. Doctor Merchant mentions several schools, rural as well as urban, where excellent results have been obtained presumably by this method. In Manitoba, also, the results in both the boys' and girls' graded schools of St. Boniface were found to be very satisfactory, and here, under able teachers, the children had been gradually introduced to English. But it may be pointed out that this method is not the most natural one, and that when it is used the tendency will be almost irresistible to postpone the day when crutches are thrown aside. The inevitable result will be that, even if regular school attendance to the age of fourteen is insisted on, as it should be and must

be, many children will find themselves just getting into the way of using the new language when their school days are over. That has been the experience of the past, and it will be the experience of the future.

It would be better frankly to admit that while it may be politic, and at first easier for the teacher, to instruct the child through his mother tongue, it is not necessary, nor is it really wise; and that this is true whether the purpose of the school is to give a thorough training in English or a "thorough knowledge of English and an equitable teaching of French."

This brings us to our last question, the fundamental question underlying our whole inquiry. To what extent here in Canada is bi-lingual training to be desired? In Quebec it is clearly desirable that every child should have a sound training in both French and English—the children of French speech because they must take their place as citizens of a country predominantly English, and the children of English speech because they will be immediately associated with a population overwhelmingly French and because French is a language well worth knowing. At present in that Province there are those who hold the reactionary views ascribed to Canon Huard, of the Basilica at Quebec. In the New York

*Times* of June 25th, 1916, he is quoted as saying, among other things: "We teach English in the Quebec schools, but the people have no use for it, and therefore forget it. We give the children schooling up to ten or twelve years of age. They learn to read and write and figure enough to keep their farm accounts. Then they go to work. They have enough education to read their prayer-books and their newspapers on Sundays, and that is sufficient for those who have to stay on the farms." Such ideas, though by no means universal, are general enough to demand attention. They cannot long be regarded with complacency. They will be terminated by evolution—or by revolution.

Outside Quebec the French language has a unique position. In the Federal House and in the Federal courts it has a position of equality with English. At least one-third of the people of Canada are of French speech. French holds a place of distinction among the languages of the world; the proceedings of the great peace congress, at which Canada hopes for adequate representation, will be conducted in French. For these and other reasons any claims presented by the French people of any province for the privilege of studying their language in the public schools should not lightly be rejected. On either of two grounds this privilege might be denied; if the French residents

of any province, or any part of a province, should seek to make the study of French an excuse for neglecting English, or again, if it were the case that two languages cannot be taught in an elementary school without impairing its efficiency. The first condition it is not necessary to discuss, except perhaps to say that it is inconceivable that any considerable number of French parents would knowingly adopt a course so fatuous and thus bar the door of opportunity in the faces of their children. On the question raised by the second condition there exists some difference of opinion.

In theory and under favorable conditions there can be little doubt on this point. Quite apart from the utilitarian advantage of knowing another modern language, educationalists are agreed that the study of a second language is most valuable in aiding intellectual development and as a factor making for accuracy and grace in the use of the native speech. Just as travel tends to sharpen the powers of observation and broaden the outlook, so the study of a foreign language, if properly conducted, serves to quicken the intellect and to react on one's control over the mother tongue. It is a universal law that all things are understood only by comparison. In the best elementary schools of England, Latin and French have a

prominent place on the curriculum. Similarly in continental Europe, the mastery of a second language in the schools is considered quite an ordinary matter, while the fluent use of three languages is by no means an unusual accomplishment. In Canada, however, those of English speech have been so occupied with matters which actually were or merely seemed to be of greater importance, that a boy leaving our elementary schools, or even our high schools or universities, with a fluent command of two languages would astonish our ears. Not uncommonly among the French in Quebec and other provinces, and also in certain Mennonite communities in southern Manitoba, schools have been conducted in such a way as to afford truly bi-lingual training, by which is meant training calculated to give the pupil a good working knowledge of two languages. The method that has been employed in these English-German schools is worthy of note. From the day the children entered school they received instruction through the medium of English. About an hour a day was set aside for the study of their own language. It was considered that this amount of time was sufficient to maintain an even advance in the two languages in view of the fact that the child heard and used the vernacular mainly outside school. The teachers in these schools have

passed the ordinary tests and have been prepared mainly in institutions supported by private contributions.

For many years educationalists on this continent have been familiar with the view that in properly conducted bi-lingual schools children could make excellent progress not in spite of, but by reason of, the second language. It was in 1889 that Doctor Peaslee, formerly Superintendent of Schools in Cincinnati, delivered an address in which he said, "The fact is that a child can study two languages and do as well in each as he would do if all his time were devoted to either language alone. This fact is indisputable. . . . I know from personal experience that the very statement of the fact seems to one who has not investigated the subject, and who does not understand the working of the infant mind, absurd, paradoxical and foolish. Why? Because an adult is prone to look upon the mind of a little child as he does upon his own mind. He says to himself, 'The more time I devote to any one subject, the more I can learn of it, therefore the more my child can.' Your conclusion, my dear sir, is mathematically true, but educationally false." On the contrary, it will perhaps be fairly generally contended that a year, or perhaps two years, longer will be required to complete the regular course with an addi-

tional language than is required to complete the course with one language. The results in the end, however, should be more satisfactory —always provided the teacher is equal to the task, and a very difficult task it will be in the large one-roomed school.

Granted, then, the wisdom of not discouraging bi-lingual training in the case of English and French, what is to be the attitude toward the other languages? The decision of the Alberta Legislature on this point has been emphatic. On March 30th, 1915, that is shortly after the momentous election referred to in the previous chapter, the following resolution commendatory of the policy of the Government was proposed by Mr. Mitchener, the leader of the Opposition, and received unanimous support, forty names being called for the motion and none against it: "That this House place itself on record as being opposed to bi-lingualism in any form in the school system of Alberta, and as being in favor of the English language being the only language permitted to be used as the medium of instruction in the schools of Alberta, subject to the provisions of any law now in force in the Province of Alberta on that behalf." The exception would apply only to the "primary course in the French language," provided for in the school law of both Alberta and Saskatchewan. Bi-lingualism,

then, in all but French communities is banned. Now the term "bi-lingualism" is variously defined. The addition of the words "in any form," in the Mitchener resolution, probably was intended to wave aside any quibbling as to definitions, and make it plain that no language privileges whatever were to be granted to our so-called "foreigners" in the public schools. In the home, in societies, in churches, in private schools also, in case these were maintained in efficiency, German or Polish or Ruthenian or any other of the score of languages in our cosmopolitan West might be perpetuated—but not in the public schools.

This attitude undoubtedly represents the prevailing opinion in western Canada to-day, and in the minds of many people French should be included with the other languages. English-speaking citizens are almost unanimous in supporting this view. With them stand the Scandinavians practically to a man, and a considerable number of those of Ruthenian, German and Polish origin. Opposing are forces, sometimes religious, sometimes nationalistic, and sometimes both; forces which, if arrayed and directed, may prove formidable indeed. Nothing is to be gained, and much may be lost, if the impression is given that the majority is attempting to stamp out a language to which any class of

people is bound by affection. Where teachers can be secured who possess a Canadian outlook, the regular professional qualifications, and another language in addition to English, it is difficult to see why they should not be encouraged to assist the pupils with their mother tongue outside school hours, or under definite restrictions, for that matter, within the regular school hours. While such teachers should do better work than any others among their own people, the well-trained English-speaking teacher must always have preference over the unqualified non-English teacher. Efficiency is essential, although diversity is far from being a disadvantage, if only it can be directed towards common ends.

The French language we shall always have with us. It were good patriotism for Canadians of other origins more generally to adopt means to make themselves familiar with its idiom and literature. No citizen will find it a burden, but rather it will prove a door to wider opportunity in and a clearer knowledge of one's own country. As language barriers are broken down, as mutual acquaintance progresses, the mythical nature of many of those supposedly irreconcilable differences of character will be manifest, and those differences which remain will appear as necessary to a perfect national symphony. Other languages

have a different status and a different future. None should be despised or slighted, but English must be the common solvent for all. For it is well to remember that language is not an end in itself, but a means to the communication of thought, and that whispering in company is doubtful manners, while secret codes are tolerable only in love and war.

# APPENDIX I.

## CLAUSES OF THE BRITISH NORTH AMERICA ACT DEALING WITH EDUCATION AND LANGUAGE.

**93.** In and for each Province the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:

1. Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the union.

2. All the powers, privileges and duties at the union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec.

3. Where in any Province a system of separate or dissentient schools exists by law at the union or is thereafter established by the Legislature of the Province an appeal shall lie to the Governor-General-in-Council from any act or decision of any Provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.

4. In case any such Provincial law as from time to time seems to the Governor-General-in-Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor-General-in-Council on any appeal under this section is not duly executed by the proper Provincial authority in that behalf, then and in every such case, and so far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the Governor-General-in-Council under this section.

**133.** Either the English or the French language may be used by any person in the debates of the Houses of the Parliament of Canada and of the Houses of the Legislature of Quebec; and both those languages shall be used in the respective records and journals of those houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any Court of Canada established under this Act, or in or from all or any of the Courts of Quebec.

The Acts of the Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those languages.

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# APPENDIX II.

**Instructions 17.**

ONTARIO
DEPARTMENT OF EDUCATION

## ENGLISH-FRENCH PUBLIC AND SEPARATE SCHOOLS.

### CIRCULAR OF INSTRUCTIONS.

1. There are only two classes of Primary Schools in Ontario—Public Schools and Separate Schools; but, for convenience of reference, the term English-French is applied to those schools of each class annually designated by the Minister for inspection as provided in 5 below and in which French is a language of instruction and communication as limited in 3 (1) below.

2. The Regulations and Courses of Study prescribed for the Public Schools, which are not inconsistent with the pro-

visions of this circular, shall hereafter be in force in the English-French Schools—Public and Separate—with the following modifications: The provisions for religious instruction and exercises in Public Schools shall not apply to Separate Schools, and Separate School Boards may substitute the Canadian Catholic Readers for the Ontario Public School Readers.

3. Subject, in the case of each school, to the direction and approval of the Chief Inspector, the following modifications shall also be made in the course of study of the Public and Separate Schools:

THE USE OF FRENCH FOR INSTRUCTION AND COMMUNICATION.

(1) Where necessary in the case of French-speaking pupils, French may be used as the language of instruction and communication; but such use of French shall not be continued beyond Form 1, excepting that, on the approval of the Chief Inspector, it may also be used as the language of instruction and communication in the case of pupils beyond Form I who are unable to speak and understand the English language.

SPECIAL COURSE IN ENGLISH FOR FRENCH-SPEAKING PUPILS.

(2) In the case of French-speaking pupils who are unable to speak and understand the English language well enough for the purposes of instruction and communication, the following provision is hereby made:

(*a*) As soon as the pupil enters the school he shall begin the study and the use of the English language.

NOTE.—A Manual of Method for use in teaching English to French-speaking pupils has been distributed amongst the schools by the Department of Education. This Manual should be used in all schools. Where necessary copies may be procured on application to the Deputy Minister.

(*b*) As soon as the pupil has acquired sufficient facility in the use of the English language he shall take up in that language the course of study as prescribed for the Public and Separate Schools.

FRENCH AS A SUBJECT OF STUDY IN PUBLIC AND SEPARATE SCHOOLS.

4. In schools where French has hitherto been a subject of study, the Public or the Separate School Board, as the

case may be, may provide, under the following conditions, for instruction in French Reading, Grammar, and Composition in Forms I to IV [see also provision for Form V in Public School Regulation 14 (5)] in addition to the subjects prescribed for the Public and Separate Schools:

(1) Such instruction in French may be taken only by pupils whose parents or guardians direct that they shall do so, and may, notwithstanding 3 (1) above be given in the French language.

(2) Such instruction in French shall not interfere with the adequacy of the instruction in English, and the provision for such instruction in French in the time-table of the school shall be subject to the approval and direction of the Chief Inspector and shall not in any day exceed one hour in each class-room, except where the time is increased upon the order of the Chief Inspector.

(3) Where, as permitted above, French is a subject of study in a Public or a Separate School, the text-books in use during the school year of 1911-1912, in French Reading, Grammar, and Composition remain authorized for use during the School year of 1913-1914.

### Inspection of English-French Schools.

5. For the purpose of inspection, the English-French schools shall be organized into divisions, each division being under the charge of two Inspectors.

6. (1) In conducting the work of inspection, the Inspectors of a division shall alternately visit each school therein, unless otherwise directed by the Chief Inspector.

(2) Each Inspector shall pay at least 220 half day visits during the year in accordance with the provisions of Public School Regulation 20, (2), and it shall be the duty of each Inspector to pay as many more visits than the minimum as the circumstances may demand.

7. Each two Inspectors of a division shall reside at such centre or centres as may be designated by the Minister.

8. Frequently during the year the two Inspectors of a division shall meet together in order to discuss questions that may arise in their work and to standardize the system of inspection. For the same purposes all the Inspectors shall meet at such times and places as may be designated by the Minister.

9. Each Inspector shall report upon the general condition of all the classes, on the form prescribed by the Minister. This report shall be subject to the approval of the Minister upon the report of the Chief Inspector.

10. If either of the Inspectors of a division finds that any Regulation or Instruction of the Department is not being properly carried out, he shall forthwith report specially on such cases to the Minister.

11. Each Inspector shall forward a copy of his ordinary inspectional report on the prescribed official form to the Minister within one week after the visit.

12. The Chief Inspector of Public and Separate Schools shall be the supervising inspector of the English-French Schools.

13. (1) No teacher shall be granted a certificate to teach in English-French schools who does not possess a knowledge of the English language sufficient to teach the Public and Separate School Course.

(2) No teacher shall remain in office or be appointed in any of said schools who does not possess a knowledge of the English language sufficient to teach the Public and Separate School Course of Study.

### Legislative Grants to English-French Schools.

14. The Legislative Grants to the English-French schools shall be made on the same conditions as are the grants to the other Public and Separate Schools.

15. On due application from the School Board and on the report of all the Inspectors approved by the Chief Inspector, an English-French school which is unable to provide the salary necessary to secure a teacher with the aforesaid qualifications shall receive a special grant in order to assist it in doing so.

Department of Education, August, 1913.

# APPENDIX III.

## LETTER FROM HIS HOLINESS POPE BENEDICT XV TO THE BISHOP OF CANADA, SEPTEMBER 8, 1916.

*To Our Beloved Son Louis Naziare Begin, Cardinal Priest of the Holy Roman Church, Archbishop of Quebec, and to the Other Archbishops and Bishops of the Dominion of Canada. —Pope Benedict XV, Our Beloved Son and Venerable Brethren:*

GREETING AND APOSTOLIC BLESSING—

When divisions that endanger the mutual bonds of peace and concord arise within the Church, the office divinely committed to Our care of feeding the Lord's flock strongly urges Us to make every effort in Our power to bring them to an end. What is there indeed more harmful to Catholic interests, or more opposed to the divine precepts and to the principles of the Church than that the faithful should be divided up into factions? For "every kingdom divided against itself, shall be made desolate;" and whenever Christians cease to be "of one heart and of one soul," they gradually wander away from that charity which is not only "the bond of perfection," but is also the first and foremost enactment of the Christian law, since the Saviour of mankind bequeathed it to His disciples as His last will and testament, and proclaimed it to be henceforth the sign and proof of the true faith: "By this shall all men know that you are my disciples, if you have love one for another."

Then again such dissensions, besides being totally in opposition with the spirit of Christ the Lord, produce also the baneful result of deterring more and more from the Catholic faith those who are beyond the fold, just as on the other hand fraternal concord and charity amongst Catholics have always been a great inducement to those outside the pale to enter the Catholic communion.

For this reason, Venerable Brethren, the contentions which, for some years past have been enkindled amidst Canadian Catholics, otherwise so renowned for their faith and piety, are to Us a cause of intense anxiety; and that those divisions have daily grown more bitter and have now been made public, We know from many and from the best sources, and We have learnt also from our own reports.

The cause of disagreement is fully manifest. There are Canadian Catholics of French origin and language, and there are those, though not all of one race, make use of the English tongue, and this constitutes for them a ground of contention and of strife.

French-Canadians assert that all proceeds satisfactorily in their Province of Quebec; but they complain that in Ontario and in other parts of the Dominion, where there are a considerable number of inhabitants of their race, and where English is the language of the Province, there is not sufficient regard for the French tongue, either in the sacred ministrations or in the Catholic Separate Schools. They wish therefore that priests should be appointed to the churches in due proportion to the number of Catholics of both languages, in such wise that in places where the French-Canadians form a majority, a priest of their language and race should be selected, and that in parishes where they are in a certain number, French should be used in preaching and in the exercise of other sacred offices in the same way as English, and finally they desire that in the Separate Schools the children should be more fully and suitably taught the French language after their own manner.

On the other hand it is put forward that in Ontario, and in the other English-speaking Provinces, Catholics are in a minority compared to non-Catholics, though in some places French-Canadians are more numerous than Catholics of the other speech, that in the appointment of priests those who may and should eventually be converted to the true faith must be taken into account, that due consideration should be given to the language which is proper to the Province and to other circumstances of place and of persons, and that the question cannot be settled on the sole basis of a majority of Catholics of one or other race. It is added that too often French-Canadian priests are deficient in the knowledge of English, or speak it imperfectly, or neglect it out of preference for their own tongue, and thus their ministry is of

little efficacy or unequal to local exigencies. Then as regards Separate Schools, it is pointed out that if French were taught in the manner claimed by the French-Canadians, it would be greatly detrimental to the proper teaching of English, which is the language of the Province, and prejudicial to the parents, who would be obliged, either to provide at their own expense that which is wanting in order that their children should be thoroughly and completely instructed in the English language, or else to abandon Catholic schools and send their sons to the public or neutral schools, which would be totally wrong. Finally it is contended that this system of education may provoke the ill-will of the State authorities against the Separate Schools on the ground that they prove inadequate to the needs of the public welfare, and thus endanger the benefit of the law authorizing Catholics to have their own Separate Schools, which it is in the greatest interest of religion to safeguard and to maintain. And would that all these points were the subject of calm and peaceful debates! In fact, as if the nation or religion itself were at stake, these matters are so bitterly discussed in the daily and weekly press, in books and pamphlets, in private conversations and at public meetings, that men's minds get more and more passionately inflamed, and the conflict between the two contending parties daily becomes more hopelessly irremediable.

It is with a view to furnishing a fitting remedy to so grievous an evil that We desire to open Our mind to you, Venerable Brethren, whom We know to be ever in close union with Us. Rest assured then, that there is nothing you could do more pleasing to Us than that you should make every utmost effort, in peace and charity, to restore agreement and concord amongst the faithful committed to your pastoral care. To use the words of Paul the Apostle: "I beseech you, brethren, by the name of Our Lord Jesus Christ, that you all speak the same thing and that there be no schisms among you; but that you be perfect in the same mind and in the same judgment . . . supporting one another in charity to keep the unity of the spirit in the bond of peace." For we are the children of the same Father, we sit at the same table, we share the same sacraments, and are called to the same happiness: baptized into one body. . . . and in one spirit we have all been made to drink." "As many of you as have been baptized in Christ, have

put on Christ:" ". . . where there is neither Gentile nor Jew, circumcision nor uncircumcision. Barbarian nor Scythian, bond nor free, but Christ is all and in all."

If by reason of family or of race there is a disagreement amongst the faithful and " the vessels of the flesh are straitened," then in accordance with the exhortation of St. Augustine, " the bounds of charity should be enlarged." When all cannot be amicably settled, nor solely by the law of charity, there are judges in the Church, placed there by the Holy Ghost, to whose decisions the faithful must submit if they want to belong to Christ and not to be considered " as heathens and publicans." Hence, in the contentions that divide Canadian Catholics regarding the rights and usage of the two languages in their churches and in their Catholic schools, judgment rests with the Bishops, and especially with the Bishops of the dioceses where dissensions are particularly acute.

We, therefore, exhort them to meet together, to carefully weigh and consider a matter of such importance, and, with a sole view to the cause of Christ and to the salvation of souls, let them lay down and decide that which they hold to be just and expedient. If for any reason the question cannot be settled and finished by their ruling, let them bring it before the Holy See, where the issue will be finally decided in accordance with the laws of justice and charity, in order that the faithful may in future preserve peace and mutual goodwill, as is befitting to the saints.

Meanwhile it is necessary that the daily and weekly papers which claim the honor of being called Catholic, should not fan the flames of discord amongst the faithful, nor forestall the judgment of the Church; and if those who write in them remain patiently and reservedly silent, or even further strive to calm excited feelings, they will surely accomplish a task well worthy of their profession. The faithful, too, should avoid discussing this matter in public gatherings, in public speeches or in Catholic meetings properly so-called, for it is all but impossible that speakers should not be carried away by party spirit or abstain from adding fuel to the fire already ablaze.

Now these injunctions which We give in Our fatherly affection to all, are laid down in the first place for the clergy. As priests should be " the pattern of the flock

from the heart,'' it is indeed quite unseemly that they should allow themselves to be wrought up by this storm of rivalry and enmity. We therefore lovingly urge them to set an example to others of moderation and gentleness, of reverence towards the Bishops, of obedience finally, especially in matters of justice and of ecclesiastical discipline, and regarding which it is the Church's own right to decide. No doubt it would be greatly conducive to the spiritual welfare and concord of Catholics of both tongues, if all their priests were to know both languages well. Hence, We have heard with notable pleasure that the teaching of French and English to clerics has been introduced in some seminaries, and We would suggest this as an example to others. In the meanwhile We urge all priests engaged in the sacred ministry to become thoroughly conversant in the knowledge and use of the two languages, and, discarding all motives of rivalry, to adopt one or other according to the requirements of the faithful.

But as the bitterest controversy is that concerning Catholic schools in Ontario, it seems fitting that We should mention some special points in that connection.

Nobody can deny that the civil Government of Ontario has the right to exact that children should learn English in the schools; and likewise that the Catholics of Ontario legitimately require that it should be perfectly taught, in order that their sons should be placed on the same level in this respect with non-Catholic children who frequent the neutral schools, and that they should not be eventually less fitted for the higher schools or be disqualified for civil employments. Nor on the other hand is there any reason to contest the right of French-Canadians, living in the Province, to claim, in a suitable way, however, that French should be taught in schools attended by a certain number of their children; nor are they indeed to be blamed for upholding what is so dear to them.

Nevertheless, let the Catholics of the Dominion remember that the one thing of supreme importance above all others is to have Catholic schools and not to imperil their existence, in order that their children, whilst receiving a literary education, should be taught to preserve the Catholic faith, to openly profess the doctrine of Christ and to live in the exact observance of the Christian law. Love for

our children, the good of religion and the very cause of Christ demand as much.

How these two requirements are to be met, namely, a thorough knowledge of English and an equitable teaching of French for French-Canadian children, it is obvious that in the case of schools subject to the public administration, the matter cannot be dealt with independently of the Government. But this does not prevent the Bishops in their earnest care for the salvation of souls, from exerting their utmost activity to make counsels of moderation prevail, and with a view to obtaining that what is fair and just should be granted on both sides.

In conclusion, Venerable Brethren, We rely so confidently upon your faith and zeal, and We know so well how mindful you are of your duty and of the account to be rendered before the judgment seat of God, that We hold beyond doubt that you will leave nothing undone to put an end to the existing evils and to bring about the return of peace. Let all your thoughts and care be centred, therefore, on the aim that "all may be one and that they may be made perfect in one," as our Divine Master taught and prayed immediately before going forth to die upon the Cross. Let the words of St. Paul the Apostle re-echo in the hearts of the faithful under your charge: "One body and one spirit: as you are called in one hope of your calling. One Lord, one faith, one baptism. One God and Father of all, and through all, and in us all." In their mutual amity let the faithful be "kind one to another, merciful, forgiving one another, even as God hath forgiven you in Christ."

Meanwhile, as a pledge of heavenly graces and of Our paternal love, We cordially bestow upon you, Our Beloved Son, upon you, Venerable Brethren, and upon the clergy and people of your respective flocks the apostolic blessing.

Given in Rome, near St. Peter's, on the 8th day of the month of September, 1916, the third of Our Pontificate.

BENEDICTUS PP. XV.

# APPENDIX IV.

*Privy Council Judgment in Ottawa Separate School Board vs. R. Mackell and others.*

This appeal raises an important question as to the validity of a Circular of Instructions issued by the Department of Education for the Province of Ontario on the 17th August, 1913.

The primary schools within the Province are for the purposes of this Circular separated into two divisions; public schools and separate schools, the latter, with which alone this appeal is concerned, being denominational schools, established, supported and managed under certain statutory provisions to which reference will be made. The population of the Province is, and has always been, composed both of English and of French-speaking inhabitants, and each of the two classes of schools is attended by children who speak, some one language, some the other, while some, again, have the good fortune to speak both, so that distinction in language does not and cannot be made to follow the distinction in the schools themselves. The Circular in some of its clauses deals with all schools, but its heading refers only to English-French schools, which are defined as being those schools, whether separate or public, where French is a language of instruction or communication, which have been marked out by the Minister for Inspection, as provided in the Circular.

The object of the Circular is to restrict the use of French in these schools, and to this restriction the appellants, who are the Board of Trustees of the Roman Catholic Separate Schools of the City of Ottawa, assert that they are not obliged to submit. The respondents, who are supporters of the same Roman Catholic schools, desire to maintain the Circular of Instructions in its integrity, and upon the appellants' refusal to abide by its terms the respondents instituted against them the proceedings out of which this appeal has

arisen, asking, among other things, a mandatory order enforcing against the appellants obedience to the Circular.

The Supreme Court of Ontario granted the injunction that was sought and their judgment was affirmed by the unanimous opinion of the Judges of the Appellate Division of the Supreme Court.

The appellants' defence of their action rests in substance upon the contention that the instructions were, and are, wholly unauthorized and unwarranted and beyond the powers of the Minister of Education, because they were contrary to, and in violation of, the British North America Act of 1867.

In order to confer legislative authority upon the instructions, an Act of the Province of Ontario (5 Geo. V, cap. 45), has been passed during the litigation, declaring that the regulations imposed were duly made and approved under the authority of the Department of Education and became binding according to the terms of their provisions on the appellants and the schools under their control, and containing consequential provisions. It is obvious that the validity of this Statute depends upon considerations similar to those involved in determining the validity of the instructions, but the Statute is the subject of another proceeding, and the present appeal is confined to the question whether the Minister of Education had power to issue the circular. The number of schools which are affected by the dispute is considerable, for of 192 Roman Catholic schools under the charge of the appellants, 116 have been designated English-French schools.

The material sections in the British North America Act upon which the appellants rely are sections 91, 92, and 93. Section 91 authorizes the Parliament of Canada to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by the Act assigned exclusively to the Legislatures of the Provinces. Section 92 enumerates the classes of subjects in relation to which the Legislatures of the Provinces may exclusively make laws, and includes therein generally all matters of a merely local or private nature in the Province. Section 93 deals specifically with education, and enacts that in and for each province the Legislature may exclusively make laws in relation to education, subject

and according to the provisions therein contained. It appears, therefore, that the subject of education is excluded from the powers conferred on the Parliament of Canada, and is placed wholly within the competence of the Provincial Legislatures, who again are subject to limitations expressed in four provisions. Provision (1) is in these terms:

> "Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the Union."

Provision (3) contains an important safeguard, which gives an appeal to the Governor-General in Council from any act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the King's subjects in relation to education. Provision (4) provides machinery for making the decision of the Governor-General in Council effective. If a Provincial Law which seems to the Governor-General in Council requisite for the due execution of the provisions of the section is not made, or any decision of the Governor-General in Council is not duly executed by the proper provincial authority, then, and in every such case, and so far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor-General in Council under the section. These provisions contain a procedure of great value to the Protestant or Roman Catholic minority in relation to education. They do not affect or diminish whatever remedy the appellants have under provision (1), and cannot operate to give the Legislature of Ontario authority to legislate in matters specially excepted from their authority.

Accordingly it would require an Act of the Imperial Legislature prejudicially to affect any right or privilege reserved under provision (1), and if the regulations which are impeached to prejudicially affect any such right or privilege, to that extent they are not binding on the appellants.

There is no question that the English-French Roman Catholic Separate Schools in Ottawa are Denominational Schools to which the provision applies, and it has been decided by this Board that the right or privilege reserved

in the provision is a legal right or privilege, and does not include any practice instruction or privilege of a voluntary character which at the date of passing of the Act might be in operation (City of Winnipeg v. Barrett, 1892, A. C. 445.)

Further, the class of persons to whom the right or privilege is reserved must, in their Lordship's opinion, be a class of persons determined according to religious belief, and not according to race or language. In relation to denominational teaching, Roman Catholics together form within the meaning of the section a class of persons, and that class cannot be subdivided into other classes by considerations of the language of the people by whom that faith is held. The appellants and the respondents, therefore, are members of the same class, but this fact does not affect the appellants' position on their appeal, for their case is that even to the class so determined there was preserved by the Statute and vested in them as trustees rights or privileges which include the right of deciding as to the language to be used as a means of instruction; and the question, therefore, that arises, is, What were the rights and privileges that were protected by the Act, and were they invaded by the Circular according to its true meaning?

Now it appears that at the date of the passage of the British North America Act of 1867, a Statute was in operation in Upper Canada by which certain legal rights and privileges were conferred on Roman Catholics in Upper Canada in respect to separate schools, and so far as the facts of this case are concerned this was the only source from which the rights and privileges could have proceeded.

This Act enabled any number of people, not less than five and being Roman Catholics, to convene a public meeting of persons who desire to establish a separate school for Roman Catholics, and for the election of trustees for the management of such schools; by section 7 it is enacted that the trustees of such schools should form a body corporate under the Statute, should have power to impose, levy, and collect school rates or subscriptions from persons sending children to, or subscribing towards the support of, such schools, and should have "all the powers in respect of separate schools that the trustees of common schools have and possess under the provisions of the Act relating to common schools." A special clause also related to the

appointment of teachers, who, before the passing of this Statute, had been arbitrarily appointed by Boards of Trustees, and this power was regulated and restricted by section 13, which provided that the teachers of the separate schools should be subject to the same examinations, and receive their certificate of qualification in the same manner as common school teachers; while section 26 provided that the schools should be subject to inspection, and should be subject also "to such regulations as may be imposed from time to time by the Council of Public Instruction for Upper Canada."

In order, therefore, to ascertain the true extent and limit of the powers conferred by this Statute, it is necessary to see what were the powers enjoyed by trustees of the common schools. These are to be found in another Statute of Upper Canada, 22 Vict., cap. 64, known as the Common Schools Act of 1859. This Statute conferred upon trustees for common schools certain powers, the most important of which are to be found collected under several heads in section 79. A mere glance at this section will show that such powers are undoubtedly wide. They include under sub-section 7 power to acquire school sites and premises, and to do what may seem right for procuring textbooks and establishing school libraries, while sub-section 8 places in the hands of the trustees the determination of "the kind and description of schools to be established," the teachers to be employed, and generally the terms of their employment. These powers are, however, to some extent limited by sub-sections 15 and 16, the first of which in effect requires that the text-books should be a uniform series of authorized text-books, while the latter compels the trustees to see that all the schools under their charge are conducted according to the authorized regulation.

Counsel for the appellants naturally place great reliance upon these provisions, and in the wider aspect of their argument they contend that "the kind of school" that the trustees are authorized to provide is a school where education is to be given in such language as the trustees think fit.

They urge that it was a right or privilege possessed with respect to denominational schools in 1867 in determining the number and kind of schools to say within what limits the French language is to be used; for, according to their contention, "kind of school" means a school where the French language, under the direction of trustees, may be

used as a medium of instruction on terms not less favorable than the use of English. Their Lordships are unable to agree with this view. The "kind" of school referred to in sub-head 8 of section 73 is, in their opinion, the grade or character of school, for example, "a girls' school," "a boys' school," or "an infants' school," and a "kind" of school, within the meaning of that sub-head, is not a school where any special language is in common use.

The schools must be conducted in accordance with the regulations, and their Lordships can find nothing in the Statute to take away from the authority that had power to issue regulations the power of directing in what language education is to be given. If, therefore, the trustees of the common schools would be bound to obey a regulation which directed that education should, subject to certain restrictions, be given in either English or French, the trustees of the separate schools would also be bound to obey a regulation of the same character affecting their school, provided that it does not interfere with a right or privilege reserved under the Act of 1867, i.e., a right or privilege attached to denominational teaching.

The objections to the instructions which were urged before their Lordships, however, were not chiefly based on the allegation that they prejudicially affected in any special manner denominational teaching, but on the wider ground. Their Lordships appreciate the affection which the French-speaking residents in Ottawa feel for the French language; but it must not be forgotten that, although a majority of the supporters of the English-French separate schools in Ottawa are of French origin, there are other supporters to whom French is not the natural language. This fact has no doubt caused great difficulty in adjusting fairly as between the different inhabitants the natural rivalry as to the languages to be used in the education of the children, and the care with which this difficulty has been considered, is evidenced in the terms of a valuable report which is printed in the record, and to which their Lordships would direct attention:

"As was stated in our former report, while all classes "of the French people are not only willing but desirous that "their children should learn the English language, they at "the same time wish them to retain the use of their own

" language, and there is no reason why they should not do so. " To possess the knowledge of both languages is an advan- " tage to them. And the use of the English language, " instead of their own, if such a change should ever take " place, must be brought about by the operation of the same " influences which are making it all over this continent the " language of other nationalities as tenacious of their native " tongue as the French. It is a change that cannot be " forced. To attempt to deprive a people of the use of " their native tongue would be as unwise as it would be " unjust, even if it were possible. In the British Empire " there are people of many languages. The use of these does " not affect the loyalty of the people to the Crown, and the " English language remains the language of the Empire. " The object of these schools is to make better scholars of " the rising generation of French children, and to enable " them to do better for themselves by teaching them English, " while leaving them free to make such use of their own " language as they please."

It therefore becomes necessary to examine closely the terms of the Circular in order to ascertain the nature and extent of the restrictions it imposes. Unfortunately it is couched in obscure language, and it is not easy to ascertain its true effect. It opens with a definition of English-French schools, and it was argued on behalf of the appellants that even this definition was not within the power of the Department: but there is no weight in this objection, provided that the selected schools are so dealt with as not to impeach any legal right or privilege of the appellants. The second paragraph of the Circular is important. The regulations and courses of study prescribed for the public schools, which are not inconsistent with the provisions of the Circular, are applied to the English-French schools, with the following modifications:

" The provision for religious instruction and exercises in " public schools shall not apply to separate schools, and " separate school boards may substitute the Canadian Catho- " lic readers for the Ontario public school readers."

These modifications bring the instructions into agreement with the provisions as to regulations affecting religious instruction in the Common Schools Act and the Separate Schools Act. The only reference to religious instruction to

which their Lordships were referred in these Statutes is section 129 of the former Statute. This section provides that no persons shall require any pupil to read or study in or from any religious book or join in any exercise of devotion or religion objected to by his or her parents or guardian, and this provision preserves these rights. Indeed this clause, in their Lordships' opinion, indicates that the whole course of religious teaching in the separate schools is outside the operation of the Circular, for the Circular applies to public schools and separate schools alike and impartially, and if it contained provisions with regard to religious instruction in the public schools, by virtue of this clause those provisions would not apply to the separate schools; throughout the whole of the Circular, however, there is nothing whatever to indicate that it is intended to have any application, excepting it may be in the case of public schools, to anything but secular teaching, and it is in this connection that clause 3 must be read. This is the paragraph which regulates the use of French as the language of instruction and communication, and it is against these provisions that the complaint of the appellants is mainly directed. The paragraph refers equally to public and separate schools, and directs that modifications shall be made in the course of study in both classes of schools, subject to the direction and approval of the Chief Inspector. In the case of French-speaking pupils, French, where necessary, may be used as the language of instruction and communication, but not beyond Form I, except on the approval of the Chief Inspector in the case of pupils beyond Form I, who are unable to speak and understand the English language. There are further provisions for a special course in English for French-speaking pupils, and for French as a subject of study in public and separate schools.

Counsel for the appellants urged that so to regulate use of the French language in the separate Roman Catholic schools in Ottawa constituted an interference, and is in some way inconsistent with a natural right vested in the French-speaking population; but unless this right was one of these reserved by the Act of 1867, such interference could not be resisted, and their Lordships have already expressed the view that people joined together by the union of language and not by the ties of faith do not form a class of persons within the meaning of the Act. If the other opinion were adopted, there appears to be no reason why a similar claim

should not be made on behalf of the English-speaking parents whose children are being educated in the Roman Catholic separate schools in Ottawa. In this connection it is worthy of notice that the only section in the British North America Act, 1867, which relates to the use of the English and French languages (sec. 133), does not relate to education, and is directed to an entirely different subject-matter. It authorizes the use of either the English or French language in debates in the Houses of Parliament, in Canada, and the Houses of Legislature in Quebec, and by any person, or in any pleading or process in, or issuing from, any Court of Canada, and in and from all or any of the Courts of Quebec. If any inference is to be drawn from this section, it would not be in favor of the contention of the appellants.

Further objections that are taken to the Circular depend upon these considerations, that it interferes with the right to manage which the trustees possess, and that it further infringes a right on the part of the trustees to appoint teachers whose certificates are provided by a Board of whom the trustees can appoint one.

In their Lordships' view, there is no substance in either of these contentions. The right to manage does not involve the right of determining the language to be used in the schools. Indeed, the right to manage must be subject to the regulations under which all the schools must be carried on; and there is nothing in the Act to negative the view that those regulations might include the provisions to which the appellants object. If, therefore, the regulation as to which the trustees of the common schools were bound to carry on the class of school committed to their charge did, in fact, under the Act of 1859, enable directions to be given as to the medium of instruction, the power possessed by the trustees of the separate schools would have been subject to the same limitation, and the question as to interference with the powers of management does not arise as an independent question.

So far as the teachers are concerned, the words of subsection 8 of section 79 empower the trustees to determine the teacher or teachers; but this merely means that they are to be determined out of the number who are duly qualified, and it is for the Board of Education to impose what conditions they think fit as to the necessary qualification of such

a teacher. Under the Statute of 1859 the body for examining and giving certificates of qualification for the teacher was constituted by three members of the Board of Public Instruction, including a local superintendent of the schools; and it is argued that, under the power of appointing the local superintendent—a power conferred on the trustees—the provisions in the Circular, which impose as a necessary condition of qualification of the teachers that they must possess a knowledge of the English language, interfered wtih the trustees' right in this respect. To accede to this argument would involve the removal of the condition as to the necessary qualification of the teachers from the Board of Education. This might be a serious matter for the cause of education in the Province of Ontario; but there is no need to consider that the Statute compels this view. Even assuming that the provision of section 96 as to the granting of certificates to teachers might be still revived; yet even then there is nothing to prevent the establishment of special conditions as conditions with which the teachers must comply before any such certificate can be given.

In the result, their Lordships are of opinion that, on the construction of the Acts and documents before them, the regulations impeached were duly made and approved under the authority of the Department of Education, and became binding according to the terms of those provisions on the appellants and the schools under their control, and they will humbly advise His Majesty to dismiss this appeal.

The appellants will pay the costs.

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*Ottawa Separate School Board vs. the Ottawa City Corporation, the Quebec Bank, and others. Delivered November* 2ND, 1916.

The question raised in these consolidated appeals is whether section (3) of 5 George V, c. 45 (1915), Ontario, is valid and within the competency of the provincial legislature. The appellants contend that this section prejudicially affects certain rights and privileges with respect to denominational schools reserved under provision (1) of section 93 of "The British North America Act, 1867."

The preamble of the Act of 1915 recites that an action was then pending in the Supreme Courts of Ontario between

R. Mackell and others and the appellants. This action has now been finally decided adversely to the appellants. Their Lordships see no reason to anticipate that this judgment will not be accepted and obeyed. There is a further recital that the appellants have failed to open the schools under their charge at the time appointed by law, and to provide or pay qualified teachers for the said schools, and have threatened at different times to close the said schools and to dismiss the qualified teachers duly engaged for the same. So far as this appeal is concerned, the accuracy of these recitals was not questioned by the counsel for the appellants. Section (1) of the Act does not come into question in this appeal; section (2) is a declaration of the duties of the appellants.

Section (3) is as follows:

"If, in the opinion of the Minister of Education, the said Board fails to comply with any of the provisions of this Act, he shall have power with the approval of the Lieutenant-Governor in Council—

"(*a*) To appoint a commission of not less than three nor more than seven persons.

"(*b*) To vest in and confer upon any commission so appointed all or any of the powers possessed by the Board under statute or otherwise, including the right to deal with and administer the rights, properties, and assets of the Board, and all such other powers as he may think proper and expedient to carry out the object and intent of this Act.

"(*c*) To suspend or withdraw all or any part of the rights, powers, and privileges of the Board, and whenever he may think desirable to restore the whole or any part of the same, and to revest the same in the Board.

"(*d*) To make such use or disposition of any legislative grant that would be payable to the said Board on the warrant of any inspector for the use of the said schools, or any of them, as the Minister may in writing direct."

The Acting Minister of Education expressed the opinion that the trustees had failed, and were failing to comply with the provisions of the Act, and submitted the appointment of a Commission for the approval of the Lieutenant-Governor in Council. The respondent Commission was duly appointed under an Order-in-Council on the 25th July, 1915.

The powers conferred on the Minister of Education in

sub-sections (*b*) and (*c*) of section 3 are expressed in very wide terms. At the instance of the Minister, with the approval of the Lieutenant-Governor in Council, all or any part of the rights, powers, and privileges of the appellant Board may be suspended or withdrawn without limitation in time, and only subject to restoration at the discretion of the Minister. The powers withdrawn from the appellant Board may be vested in and conferred upon an appointed Commission, a nominated body, in the selection of which the rate-paying supporters of the Roman Catholic Separate Schools have no voice. There is no exception to the universality of the extent to which all the rights, powers, and privileges of the appellant Board may be suspended or withdrawn and vested in and conferred upon this nominated body. Is this legislation consistent with provision (1) of section 93 of "The British North America Act, 1867"? Section 93 enacts that in and for each province the Legislature may exclusively make laws in relation to education, subject and according to certain specified provisions. This section has been recently under the consideration of their Lordships in the case of the appellant Board and R. Mackell and others. The effect of the section and of sections 91 and 92 is to give an exclusive jurisdiction to the Legislature of each province to make laws in reference to education subject to the specified provisions. The Parliament of Canada has no jurisdiction in relation to education, except under the conditions in provision (4), which are not in question in this appeal. The rights or privileges reserved in provision (1) cannot be prejudicially affected without an Act of the Imperial Legislature.

There is no question that the impeached section of the Act of 1915 does authorize the Minister of Education to suspend or withdraw legal rights and privileges with respect to denominational schools The case of the respondent Commission is that the appellant Board does not come within the category of "a class of person," and that no right or privilege with respect to denominational schools, which the appellant Board had by law in the province at the union, has been prejudicially affected. It was argued that the protection given by provision (1) related to rights or privileges possessed by all the adherents of the Roman Catholic schools in the Province, and that the appellant Board only represented

the minority of a larger class. The status of the appellant Board depends on the provisions contained in " The Separate Schools Act, 1863." Section (2) of that Act confers the right of electing trustees for the management of a separate school for Roman Catholics, not on all the adherents of Roman Catholic schools in the province, but on any number of persons, not less than five, being heads of families and freeholders, and householders, resident within any school section of any township, or corporate village, or town, or within any ward of any city or town, and being Roman Catholics. The right of electing managers is thus conferred on the supporters of a separate school or schools for Roman Catholics within one or other of the designated areas. In the present case the appellant Board are the elected trustees for the management of Roman Catholic Separate Schools within the City of Ottawa. They represent the supporters of the Roman Catholic Separate Schools within the area of the city, and as such elected trustees enjoy the right of management which was conferred under the Separate Schools Act, 1863. Apart, therefore, from any words of limitation or any implication to be drawn from the context, the appellant Board represent a section of the class of persons who are within the protection of provision (1). Their Lordships can find neither limiting words nor anything in the context which would imply that they are excluded from the benefit of the provision. They are not the less within the provision that any other Board similarly constituted would have similar rights and privileges. They would be entitled to the protection of the provision, though they were the only Board of Trustees in the Province constituted under " The Separate Schools Act, 1863." But if the appellant Board represent people who come within the protection of provision (1), it is difficult to appreciate the argument that no legal right or privilege existing in the Province at the union with respect to denominational schools has been prejudicially affected. It is possible that an interference with a legal right or privilege may not in all cases imply that such right or privilege has been prejudicially affected. It is not necessary to consider such a possibility, and this question does not arise for decision in the appeal. The case before their Lordships is not that of a mere interference with a right or privilege, but of a provision which enables it to be withdrawn *in toto* for an indefinite time.

Their Lordships have no doubt that the power so given would be exercised with wisdom and moderation, but it is the creation of the power and not its exercise that is subject to objection, and the objection would not be removed even though the powers conferred were never exercised at all. To give authority to withdraw a right or privilege under these conditions necessarily operates to the prejudice of the class of person affected by the withdrawal. Whether or not a different policy might have been preferable, either in the opinion of the Provincial Legislature, or in that of the Courts, is not a relevant consideration. It was argued that no evidence on behalf of the appellant Board had been called to prove that the withdrawal of their rights, powers, and privileges, operated to their prejudice. In the opinion of their Lordships no such evidence was necessary.

For the purpose of these appeals it is unnecessary to say more. The decision depends on a question of construction. During the argument the Counsel for the respondent Commission pressed on their Lordships the difficulty of providing any adequate alternative in order to ensure the proper education of the children of Roman Catholic parents in the City of Ottawa. Their Lordships realize the great importance of this consideration and there is no doubt that considerable temporary inconvenience must be involved if the appellant Board, as representatives of the supporters of the Roman Catholic Separate Schools in Ottawa, fail to open the schools under their charge at the time appointed by law, and to provide and pay qualified teachers. It may be pointed out, however, that the decision in this appeal in no way affects the principle of compulsory free primary education in the Province established under the School Law of 1850, and that if the appellant Board and their supporters fail to observe the duties incident to the rights and privileges created in their favor, the result is that the children of Roman Catholic parents are under obligation to attend the common schools, and thus lose the privileges intended to be reserved in their favor under provision (1) of section 93 of "The British North America Act, 1867." The history of this question is thus accurately summarized in the judgment of Meredith, C.J.O.:—

"The ground upon which was based the claim of the Roman Catholics to separate schools was the injustice of

compelling them to contribute to the support of schools to which, owing to the character of the instruction given in them, they could not for conscientious reasons send their children, because in their view it was essential to the welfare and proper education of their children that religious instruction according to the tenets of the Roman Catholic Church should be imparted to them as part of their educational training.

"This injustice, it was claimed, was greatly aggravated when, by the School Law of 1850, a system of compulsory free primary education in schools supported partly by Government grants, but mainly by taxation, to which all ratepayers were liable, was established."

Their Lordships do not anticipate that the appellants will fail to obey the law now that it has been finally determined. They cannot, however, assent to the proposition that the appellant Board are not liable to process if they refuse to perform their statutory obligations, or that in this respect they are in a different position from other Boards or bodies of trustees entrusted with the performance of public duties which they fail or decline to perform.

From what has been said it appears that in their Lordships' view the Act as framed is *ultra vires*, and accordingly liberty will be reserved to the plaintiffs, should occasion arise, to apply to the Supreme Court of Ontario for relief in accordance with this declaration, but their Lordships do not anticipate that it will be necessary for the plaintiffs to avail themselves of this right.

Their Lordships will humbly advise His Majesty that the appeals be allowed, with costs to be paid by the respondent Commission here and below, and the respondent Commission will pay the costs of the Corporation of the City of Ottawa and of the Quebec Bank.